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No. 110.

HOUSE OF REPRESENTATIVES

THURSDAY, November 12, 1959

The House met at 10:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

At the beginning of this day's session, O God, we come to Thee as we invoke Thy blessing upon this solemn assembly. We turn to Thee for Thou art our Source, our Strength, and our Salvation.

At Thy word not only our world was called into being, but man as well was created and endowed with certain unalienable rights. In order to live his life to the fullest, man needs to turn to Thee; so, in the knowledge that Thou art our strength, we look to Thee this day. And with the consciousness that man's hope for eternity lies with Thee, we pray for Thy great love to grant us that eternal peace when our call comes to leave this world.

At the conclusion of this moment of prayer, O God, we pray for Thy guidance and care during the coming days. And bring us to these hallowed halls at the beginning of next week with renewed strength and vigor for the work which lies ahead. This we ask in Jesus' precious name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, November 11, 1959 will be postponed until printed.

The Chair hears none.

CALL OF THE HOUSE

Mr. FARABAUGH. Mr. Speaker, I raise the question of no quorum.

The SPEAKER. The gentleman from Cambria raises the question of no quorum.

The Sergeant-at-Arms will close the doors of the House and admit only Members and Officers of the House during the quorum call.

The SPEAKER. The Clerk will call the names of those absentees who have not been granted a leave of absence.

Mr. O'NEIL. I do not wish my name read as being absent, Mr. Speaker. Before he calls those names, O'Neil was present.

The SPEAKER. At the conclusion of the calling of the roll of the absentees, the roll of absentees will be corrected by deleting the names of those present—the late arrivals.

Mr. O'NEIL. I am not absent. I am present. I wish my name removed and not announced as being on an absentee list. I am here.

The SPEAKER. The gentleman is on the Floor of the House and will be marked present.

Any gentleman whose name was called and who is now in the Hall of the House can properly be marked as present. We are going to simply call the names of those who did not answer to the roll call, not to show that they were absent, but in order that the list of the absentees could be properly corrected.

Mr. DOUGHERTY. Mr. Speaker, have you asked for leaves of absence for today, to give an opportunity for the Majority Whip to give the names?

The SPEAKER. We cannot take the request for leaves of absence until the fact of a quorum is established. When we establish the presence of a quorum, then the House can take any action it desires.

Mr. DOUGHERTY. Thank you.

The SPEAKER. The House can then grant leave of absence to those it desires, but we must first establish the presence of a quorum.

Those who arise in their places and are now actually present in the Hall of the House should be included in the roll of those present, and the Desk will see that they are recorded. The way to handle that is that when the roll of the absentees is called, the Member answers present if he is in the Hall of the House.

Please understand it is simply those who did not answer when the first roll was called. The roll of the absentees will be called and Members who are present will answer "Present" and they will not appear on the absentee roll.

The Clerk will read the names of those who did not answer to their names.

The names of those absent were read.

PARLIAMENTARY INQUIRY

Mr. TOMPKINS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. They read the names of four Members who had been granted leaves of absence for the week. Should not they have been recorded properly on this roll?

The SPEAKER. The Chair requested the desk not to read the names of the Members who have been granted leaves of absence. If they did that, the desk has been in error.

Mr. TOMPKINS. Mr. Speaker, they read the names of the gentleman from Lancaster, Mr. Wood, the gentleman from Dauphin, Mr. Hocker, the gentleman from Chester, Mr. Ashton, and the gentleman from Bedford, Mr. Stroup,

who have previously been granted leaves of absence for this week.

The SPEAKER. Those who are absent by leave are a matter of record and the Chair asked the desk not to record those having leaves. Does the desk have a record of those? The desk will read the names of those who have leaves. The Chair will explain the parliamentary situation that confronts the House after the names of those who have been granted leave of absence have been read and the Clerk has reported the presence of a quorum.

The CLERK. Those who have been granted leaves of absence are as follows: Breth, Dennis, Ashton, Auker, Hocker, Wood and Stroup.

The Members recorded as being present were as follows:

PRESENT—154

| | | | |
|-------------|------------------|-------------------|-----------------------|
| Agnew, | Gelfand, | McInroy, | Schuster, |
| Arlene, | George, | McLaughlin, | Schwartz, |
| Balthaser, | Gibb, | Machmer, | Seltzer, |
| Barton, | Goldstein | Mahan, | Shupnik, |
| Bell, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irvls, | Mullen, | Stone, |
| Burns, | Isaacs, | Munley, | Stoner, |
| Clanfrani, | Jenkins, | Murray, H. P., | Strausser, |
| Cioffi, | Jim, | Murray, J. J., | Sullivan, |
| Clarke, | Johnson, A. W., | Musto, | Taylor, |
| Comer, | Johnson, R., | Needham, | Tompkins, |
| Crossin, | Jones, T. H. W., | Nelson, | Ujobal, |
| Curwood, | Jump, | O'Donnell, J. A., | Varallo, |
| Davis, | Kamyk, | Odorisio, | Varnier, |
| Dengler, | Kee, | Ogilvie, | Verona, |
| Devlin, | Kelser, | O'Neill, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weldner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A. D., Jr., |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Fetterolf, | Lee, K. B., | Reibman, | Willaredt, |
| Filo, | Leonard, | Reidenbach, | Wilt, |
| Floyd, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Fox, | Lopresti, | Riley, | Yatron, |
| Frank, | Luigard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Zimmerman, |
| Galley, | McCandless, | Sakulsky, | Andrews, |
| Gallagher, | McCann, | Scarcelli, | Speaker |
| Garlock, | McDonald, | Schaaf, | |

ABSENT—54

| | | | |
|-----------|---------------|--------------------|---------------|
| Anderson, | Ewing, | McCormack, | Perry, P. E., |
| Ashton, | Fineman, | McKeever, | Petrosky, |
| Auker, | Flynn, | Magee, | Rudisill, |
| Blair, | Frascella, | Maxwell, | Sherman, |
| Boles, | Gramlich, | Merry, | Silverman, |
| Bonner, | Guthrie, | Monroe, | Stank, |
| Boris, | Heffner, | Moran, | Stroup, |
| Breth, | Helm, | Muldowney, | Thompson, |
| Capano, | Hocker, | Murphy, A. J., Jr. | Trusio, |
| Capitolo, | Holt, | Murphy, P. J., | Walsh, |
| Cooper, | Jones, F. R., | Murray, P. G., | Whittaker, |
| Dennis, | Korn, | Naugle, | Wood, |
| Dennison, | Lamb, | O'Dell, | |
| Ellberg, | Lippincott, | O'Donnell, J. P. | |

The SPEAKER. The desk reports the presence in the Hall of the House of 154 Members. A quorum is therefore present.

It is now within the province of the House to grant leaves of absence to those who are recorded as being absent. After those leaves have been granted, if there are any Members who have not been granted leaves of absence, a motion to bring them into the Hall of the House would

be in order. But, the request to grant leaves of absence takes precedence. It is within the province of this House to grant as many leaves of absence as it desires in its discretion.

The Chair will now return to leaves of absence and give the respective Whips opportunity to compile the lists of those for whom they desire to request the House to grant a leave of absence. The Chair desires that those requests, instead of coming from individual Members, be collected in one document by the respective Whips.

Mr. SCHWARTZ. Mr. Speaker, I think there is a method of short-cutting all this. I believe that under our Rules a motion at this time would be in order to dispense with further proceedings under the call of the House.

I move that we dispense with further action under the call of the House.

On the question,

Will the House agree to the motion?

Mr. FARABAUGH. Mr. Speaker, I think a motion to grant a wholesale leave of absence to Members who are not here, to leave them off the hook, is entirely out of order and unfair. The procedure started here was with proper intentions not to hurt anyone, but to see that this House is conducted in an orderly fashion; and the Members who were elected and sworn to be here, without a justification for not being here. I say that motion is improper and out of order at this time.

The SPEAKER. Does the gentleman raise a point of order on which he desires the Chair to rule?

Mr. FARABAUGH. I certainly do.

The SPEAKER. The Chair must hold that the House is sovereign, that a motion to grant unlimited leave of absence for no cause stated is within the province of the House, and the motion is in order at any time a Member rises, is recognized and makes it. The motion can be carried, or it can be defeated at the option of the House.

Mr. SCHWARTZ. Mr. Speaker, I do not want the imputation attached to the motion I made that by such motion there are to be unlimited leaves of absence for Members not present for any reason whatsoever. I do not believe there is anything in the Rules, or anything in the decisions of this House that puts such an imputation on the motion that I made. I think that after this motion is either carried or defeated, you can then go into leaves of absence. I know that some Members have already come into the House who are marked absent on the call of a quorum. I therefore suggest that my motion is a simple one and it means exactly what it says, without imputation of any leaves of absence.

The SPEAKER. Does the Chair understand the gentleman to contend that after his motion has been carried there can be any further action at this session regarding leaves of absence?

Mr. SCHWARTZ. Yes; I think the question of a quorum could be called a half hour from now.

The SPEAKER. The Chair must disagree with the gentleman from Philadelphia. The House can dispense with further proceedings under the quorum call, and the question thereafter of absentees is not properly before the House because those who are not present have been granted leaves of absence.

The Chair will further amplify. The gentleman is right to this extent, that there is no blanket order now, if his motion carries, for sending for absentees, or granting

further leaves of absence. Under strict interpretation of the Rules, which we have not adhered to in the past, the effect of the gentleman's motion would be to dispense with further proceedings as far as sending for absentees was concerned, and then it would be in order to have the respective Whips file requests for leaves of absence as a matter of record.

On the question recurring,

Will the House agree to the motion?

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ROVANSEK asked and obtained permission for the Committee on Mines and Mineral Industries to meet during the session of the House.

PARLIAMENTARY INQUIRY

Mr. McCANN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCANN. Some Members have come into the Hall of the House since the quorum roll call. Now you are running another roll call. Do they vote, or do they not?

The SPEAKER. Anybody who is in the Hall of the House will vote, and the fact that he is voting on this particular question establishes his presence in the Hall of the House.

Mr. McCANN. That is right. Thank you, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, am I in order to speak on the motion at the present time?

The SPEAKER. The gentleman is in order to speak on the motion.

Mr. SCHAAF. Then I would like to respectfully suggest for the consideration of the House that the measures that are about to be taken are essentially punitive. I take this position personally: That a man is answerable as a Member of this House to his constituents and he is answerable, certainly, to his God for his conduct. I think this House has much better things to do than to even move toward the direction where we are sending out after absent Members at this late date in the week. I think this is essentially punitive. I think in the whole scope of things that it is entirely wrong. If they are absent, they are absent. They have to answer to other persons.

The SPEAKER. The effect of the motion is not to send out after them, and the effect of the motion is curative in the present proceedings rather than punitive.

Mr. SCHWARTZ. Mr. Speaker, according to my count we now have more Members here than we had last evening. We certainly have a quorum; we have a lot more than a quorum. We have more Members here on a Thursday than I have seen here on a Tuesday or a Wednesday. I think the motion is in order, and I think the Members of the House, in respect for themselves and the Members they associate with, should certainly vote in favor of this motion.

The SPEAKER. The motion is in order. It is in line with the procedure under the call of the House.

Mr. FARABAUGH. Mr. Speaker, I think the gentleman from Philadelphia is entirely unfair and unreasonable in his request. You have given an opportunity to have leaves of absence if they so desire. That was proper procedure, and he is wrong in asking to dispense with that at this time. It was the proper procedure that was begun here,

not to hurt anybody but to conduct an orderly procedure of this House without a lot of delay as he has suggested. I ask the Members to vote down that motion.

The SPEAKER. The Chair desires once again to endeavor to explain the parliamentary procedure. This motion simply means that we will not proceed forthwith to send for Members who failed to answer the roll call—After this motion has been decided, if it is decided in the affirmative, then the question will come before the House as to who should and who should not be granted leaves of absence, and those who are not granted leaves of absence can be sent for.

The Clerk will call the roll.

The roll was called and was as follows:

YEAS—122

| | | | |
|------------|------------------|-------------------|----------------------|
| Arlene, | Gallagher, | Markley, | Seltzer, |
| Auker, | Gelfand, | Meholchick, | Shupnik, |
| Balthaser, | Goodrich, | Mihm, | Snare, |
| Barton, | Henzel, | Miller, B. Z., | Stimmel, |
| Bell, | Holliday, | Monroe, | Steckel, |
| Bower, | Irvis, | Mullen, | Stewart, |
| Branca, | Jenkins, | Munley, | Stone, |
| Brown, | Johnson, A. W., | Murray, J. J., | Stoner, |
| Buchanan, | Johnson, R., | Musto, | Strausser, |
| Burns, | Jones, F. R., | Needham, | Sullivan, |
| Cianfrani, | Jones, T. H. W., | Nelson, | Taylor, |
| Cloffi, | Jump, | O'Donnell, J. A., | Tompkins, |
| Clarke, | Kamyk, | Odorisio, | Ujobai, |
| Comer, | Kee, | Ogilvie, | Varallo, |
| Crossin, | Kernaghan, | Parlante, | Vamer, |
| Davis, | Kessler, | Pashley, | Verona, |
| Dengler, | Knecht, | Polski, | Wall, |
| Dennison, | Kornick, | Polen, | Wargo, |
| Devlin, | Kovolenko, | Prendergast, | Weidner, |
| Donahue, | Kubitsky, | Price, | Welsh, |
| Donaldson, | Lee, A. M., | Pursley, | Wescott, |
| Dougherty, | Lee, K. B., | Reibman, | Wheeler, |
| Down, | Leonard, | Reldenbach, | Williams, A.D., Jr., |
| Edwards, | Limper, | Rigby, | Williams, E. S., |
| Fetterolf, | Luigard, | Riley, | Willard, |
| Filo, | Lutty, | Royer, | Wynd, |
| Foerster, | McCandless, | Sakulsky, | Yatron, |
| Fox, | McCann, | Scarcelli, | Yetter, |
| Frank, | McDonald, | SchAAF, | Zimmerman, |
| Galley, | McInroy, | Schuster, | Andrews, |
| | McLaughlin, | Schwartz, | Speaker |

NAYS—35

| | | | |
|-------------|------------|----------------|---------------|
| Agnew, | Garlock, | Kooker, | Perry, H. H., |
| Bowman, | George, | Light, | Renwick, |
| Brenninger, | Gibb, | Lopresti, | Rovansek, |
| Curwood, | Goldstein, | Machmer, | Snider, |
| Eshback, | Hamilton, | Mahan, | Stevens, |
| Eshleman, | Horst, | Miller, H. G., | Willaredt, |
| Farabaugh, | Isaacs, | Mills, | Wilt, |
| Flynn, | Jim, | Murray, H. P., | Worley, |
| Fulmer, | Kelser, | O'Neill, | |

NOT VOTING—51

| | | | |
|-----------|-------------|---------------------|---------------|
| Anderson, | Fineman, | McCormack, | Perry, P. E., |
| Ashton, | Floyd, | McKeever, | Petrosky, |
| Blair, | Frascella, | Magee, | Rudisill, |
| Boles, | Gramlich, | Maxwell, | Sherman, |
| Bonner, | Guthrie, | Merry, | Silverman, |
| Boris, | Heavey, | Moran, | Stank, |
| Breth, | Hefner, | Muldowney, | Stroup, |
| Capano, | Helm, | Murphy, A. J., Jr., | Thompson, |
| Capitolo, | Hocker, | Murphy, P. J., | Trusio, |
| Cooper, | Holt, | Murray, P. G., | Walsh, |
| Dennis, | Korns, | Naugle, | Whittaker, |
| Eilberg, | Lamb, | O'Dell, | Wood, |
| Ewing, | Lippincott, | O'Donnell, J. P., | |

So the question was determined in the affirmative and the motion was agreed to.

Mr. FARABAUGH. Mr. Speaker, do I understand that gives a wholesale leave of absence to those who are not here?

The SPEAKER. It does not.

Mr. FARABAUGH. Then I make a motion, Mr. Speaker. I move that the Chief Clerk be ordered to instruct the sergeant-at-arms to bring to the House those—

The SPEAKER. The Chair would call to the attention of the gentleman from Cambria that the motion made by the gentleman from Philadelphia having prevailed, and having been endorsed by the House, further proceedings under the call must necessarily be dispensed with and the next order of business is leaves of absence. Following leaves of absence the House can or cannot, as it elects, grant leaves or refuse to grant leaves. If it refuses to grant leaves, then the absentees can be sent for.

Mr. FARABAUGH. Mr. Speaker, is it proper that leaves be granted without just reasons?

The SPEAKER. That is a matter wholly within the discretion of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mrs. ANDERSON for today because of illness.

Mrs. Varallo for Mr. CAPITOLO for today.

Mrs. Varallo for Mr. EILBERG for today.

Mrs. Varallo for Mr. FINEMAN for today.

Mrs. Varallo for Mr. FRASCELLA for today.

Mrs. Varallo for Mr. HOLT for today.

Mrs. Varallo for Mr. McKEEVER for today.

Mrs. Varallo for Mr. MULDOWNEY for today.

Mrs. Varallo for Mr. J. P. O'DONNELL for today.

Mrs. Varallo for Mr. J. E. PERRY for today.

Mrs. Varallo for Mr. SHERMAN for today because of illness.

Mrs. Varallo for Mr. SILVERMAN for today.

Mr. McCORMACK for himself for today.

Mrs. Varallo for Mr. LAMB for today.

Mrs. Varallo for Mr. MORAN for today because of illness.

Mrs. Varallo for Mr. WALSH for today.

Mrs. Varallo for Mr. BOIES for today.

Mrs. Varallo for Mr. STANK for today because of official business.

Mrs. Varallo for Mr. PETROSKY for today because of official business.

Mrs. Varallo for Mr. RUDISILL for today because of illness.

Mrs. Varallo for Mr. A. J. MURPHY for today because of illness.

Mrs. Varallo for Mr. CAPANO for today.

The SPEAKER. In the absence of objection on the part of the House, leaves of absence are granted in accordance with the requests filed by the lady from Philadelphia, Mrs. Varallo. The Chair now recognizes the Minority Whip.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. P. J. MURPHY for today because of illness.

Mr. Tompkins for Mr. WHITTAKER for today.

Mr. Tompkins for Mr. BORIS for today because of illness.

Mr. Tompkins for Mr. HEFFNER for today.

Mr. Tompkins for Mr. O'DELL for today.

Mr. Tompkins for Mr. BLAIR for today.

Mr. Tompkins for Mr. P. G. MURRAY for today.

Mr. Tompkins for Mr. MAGEE for today.

Mr. Tompkins for Mr. MERRY for today.

Mr. Tompkins for Mr. GUTHRIE for today because of illness.

Mr. Tompkins for Mr. HELM for today because of illness.

Mr. Tompkins for Mr. EWING for today because of illness.

Mr. Tompkins for Mr. THOMPSON for today because of illness.

Mr. Tompkins for Mr. GRAMLICH for today.

Mr. Tompkins for Mr. NAUGLE for today.

Mr. Tompkins for Mr. KORNIS for today.

Mr. Tompkins for Mr. COOPER for today because of illness.

Mr. Tompkins for Mr. LIPPINCOTT for today.

The SPEAKER. In the absence of instructions to the contrary upon the part of the House, leaves are granted.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 594, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House providing for the repair of the Pechin House authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2293, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in that borough.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1162, entitled:

An Act amending the "City Classification Law" approved June 25, 1895 (P. L. 275) changing the mode for the advance in classification of cities upon their increase in population.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2437, entitled:

An Act abating certain tax penalties interest and costs on county city (except city of the first class) borough town township school district (except school district of the first class) and institution district taxes * * *.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2440, entitled:

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" providing that every juror shall receive mileage.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2441, entitled:

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" providing that all witnesses be paid mileage.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2442, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further regulating the swearing to and affirming of certain informations charging summary offenses and the filing of such informations with courts having jurisdiction thereof.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2443, entitled:

The Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the preparation of the budget in accordance with the recent constitutional amendment.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies shall first be based on assess-

ments from valuations made with the use of the permanent system of records.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2450, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance * * *" further providing for the time within which limited life insurance companies may be formed.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners under certain conditions.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 471, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 472, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" authorizing certain banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 473, entitled:

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employees from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HAMILTON offered the following amendments:

Amend Sec. 1, page 3, line 1, by inserting after "business" "and having a licensed resident agent."

Amend Sec. 1, page 3, lines 3 to 6, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HAMILTON offered the following amendment:

Amend Sec. 2, page 3, lines 7 to 12, by striking out "Every debtor borrower or purchaser of property with" in line 7, all of lines 8 to 11, and "insurer through or by which such insurance is to be placed" in line 12.

It was agreed to.

The section was agreed to as amended.

The third, fourth and fifth sections were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. HAMILTON offered the following amendments:

Amend Sec. 6, page 5, line 4, by striking out "(1)."

Amend Sec. 6, page 5, lines 5 and 6, by striking out "or (2) the sum of two hundred fifty dollars (\$250)".

Amend Sec. 6, page 5, line 8, by inserting after "pleas" hereinafter referred to.

They were agreed to.

The section was agreed to as amended.

The seventh and eighth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. HAMILTON offered the following amendment:

Amend Title, page 1, fifth line of Title, by striking out all of said line.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act amending the act of January 14, 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein * * *" further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty on order that they may obtain such training.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts providing for multiple service credit in the case of certain members of the General Assembly changing the income limitation for disability annuitants and providing a death benefit after ten years of service in certain cases regulating payment by the retirement board to credit unions in certain cases and restricting assignment of rights after payment for default.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1066, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of

Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township Northampton County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations. The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILL PASSED OVER

There being no objection
House Bill No. 1968, Printer's No. 1896;
was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection
House Bill No. 1963, Printer's No. 1867 and
House Bill No. 2171, Printer's No. 1842
were passed over at the request of the SPEAKER.

Mr. McCANN. Mr. Speaker, when we have cleared the first and second reading calendars, in line with the basic agreement we had yesterday, we will caucus for a short period of time to cover the third reading calendar.

The Minority Leader yesterday stated that he would have to have a caucus; I also stated that we would have to cover these bills and vote on them today. We are in a position now on our markings to go to caucus regarding final passage and third reading bills on the calendar and resolutions.

Mr. Speaker, we had planned it a little different than this. It is now fifteen minutes to twelve. We were talking about ten-thirty, quarter to eleven at that time. So, I am going to ask for a recess. We will have to have a recess of one hour and thirty minutes so you can have lunch at this time. Our intention was to go right through.

I am going to place it this way: the sooner we get back here, the sooner you can leave to go home today. So, the sooner you finish lunch, the sooner we get the caucuses over with, the more daylight time you will have to travel home today. I will ask that all Democrat House Members bring with them their House calendars to the new House Caucus Room. We will eat first, right now, for a period of 35 or 40 minutes, and then the caucus will start. In an hour and a half we will be back here on the floor of the House, and I ask everyone please cooperate and come back here and come to caucus on time.

Mr. A. W. JOHNSON. May I interrogate the Majority Leader, please?

The SPEAKER. The Minority Leader may proceed.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to suggest to the Majority Leader, many of the Members would like to be on their way home as quickly as possible. Could we make this one hour? I believe we could eat for one-half hour, and our caucus certainly will not last over one-half hour. We could be back here at a quarter to one, I am sure.

Mr. McCANN. Mr. Speaker, I am more than pleased to cooperate in that way. Let us do it right away, eat and come right up to the caucus and get going.

Mr. GOLDSTEIN. Mr. Speaker, let's forget lunch and go to work.

Mr. McCANN. Mr. Speaker, I know how the gentleman feels about this, but may I say that there are quite a few

Members in this House who have complained to me, especially some who have some illness have objected strenuously to not being able to eat around lunch time and also no later than 6:00 or 7:00 at night. I would like to cooperate with them, please.

Mr. A. W. JOHNSON. Mr. Speaker, I believe on our side we would like to caucus first. We will proceed immediately to our caucus room and caucus first and then have lunch.

BILLS RE-REFERRED

Mr. ROVENSEK from the Committee on Mines and Mineral Industries, returned with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 2018, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; * * *" further regulating the salary of the first aid and mine rescue instructors.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

Mr. ROVENSEK from the Committee on Mines and Mineral Industries, returned with the recommendation that it be re-referred to the Committee on Appropriations, House Bill No. 2019, entitled:

An Act amending the act of April 25, 1945 (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; * * *," regulating the salary of electrical inspectors.

The SPEAKER. The bill is re-referred to the Committee on Appropriations.

RECESS

The SPEAKER. Without objection, the Chair declares a recess of one hour.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PARLIAMENTARY INQUIRY

Mr. AGNEW. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AGNEW. For the benefit of the Members of the House and for informational purposes only, Mr. Speaker, what is the correct response for a Member to make on a roll call following a quorum call or for any other purpose when we are not merely voting "Aye" or "No," but to show that we are here. Is the correct call "Present" "Here" "Aye," or what is it?

The SPEAKER. If we wanted to be very technical the correct response would be "Present" but if a Member say "Here" the Chair recognizes it.

Mr. AGNEW. Thank you, Mr. Speaker.

The SPEAKER. The correct response is "Present" that is the object of the inquiry, to find out whether he is or is not present. So, the correct response is "Present."

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCHWARTZ asked and obtained permission for the Committee on State Government to meet during the session of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. FETTEROLF for the remainder of the day.

Mr. BELL for himself at 3:30 p. m. today.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2388, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 13242) authorizing acquisition of property necessary for present or future highway purposes.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. Speaker, I rise to oppose this bill not because of the great content of the bill, but because of the objectionable nature of one feature. I am speaking specifically about Section 226. Incidentally, I do not think copies of this bill are on the desks of the Members, because I had to go up and get one from the front desk.

My objection to this bill as written is contained solely in this section. This section would permit the state, once it had condemned land and made an entry into the land, to later come through and revise its plans and relinquish the condemnation. There is no time limit in the bill to which the relinquishment would be confined. In other words the state could come in, condemn a man's home, later decide they did not want the home and tell the former owner, here, take your home back, and you have your remedy at law, you can go and sue the Commonwealth at court.

Ladies and gentlemen of the House, in my district the state has given some notices of this nature, the home owners have moved out, they have gone to new neighborhoods, they have gone to new homes, their community life has been disrupted, and for the state to come back at some later time and say, here, we do not need your home, take it back, if you have damages, go over to court and sue us. I say this is stepping on the rights of the people. When the state condemns and when the state enters, the state should pay, and should not be allowed to change its plans at any time it desired in the future.

Mr. SCHWARTZ. Mr. Speaker, throwing half a brick or half a truth is just about the same. They go much further than a whole brick or a whole truth.

Let us look at the section to which the gentleman refers, and reading from that section, the latter half of it, on page 6, "Provided however the court shall make such order as may be just to compensate such owner for any loss occasioned by such condemnation, physical entry and subsequent relinquishment." It is not necessary for you to litigate. This is an absolute authority of the court to compensate that property owner for any loss that results. I do not see what could be any fairer than that.

I can foresee, as everybody else can, that there may be a possibility of the Commonwealth condemning, then due to some unforeseen circumstances, they may not have been able to get their financing, anything could have happened to make the Commonwealth change its mind, but as long as there is adequate provision to compensate the property owner for any loss occasioned I think the bill is fair.

This, by the way, was an amendment to the bill. Originally it had the word "may." The word "may" was taken out and replaced by the word "shall," so that I think the provision, if it is read carefully, is a very fair provision.

Mr. BOWMAN. Mr. Speaker, to the extent that this bill authorizes condemnation of lands not for highway purposes, but for the purpose of moving buildings on land condemned for highway purposes to another location, this bill is unconstitutional. The power of condemnation, the power of eminent domain as granted to the state, yes, the state, by the Constitution of Pennsylvania, does not extend to the point of condemning land for non-highway purposes in the name of the Commonwealth. That is precisely what this bill does. This bill in one section states that for the purposes of relocating improvements on land condemned for highway purposes additional condemnation may take place to locate buildings. To that extent this bill, in my opinion, is clearly unconstitutional.

The SPEAKER. Does the gentleman raise the point as to the constitutionality of the bill?

Mr. BOWMAN. I am merely giving the Membership of the House the benefit of my personal opinion. I am not asking for a determination of constitutionality by this body.

Mr. A. M. LEE. Mr. Speaker, just a brief word on the question raised by the gentleman from Dauphin, Mr. Bowman.

He and I attended the same law school at the same time, we were taught the same thing and I assume that probably over the course of time we listened about equally as well.

He has raised a question, however, about the constitutionality of this provision which permits the relocation of property in order to diminish damages by virtue of the construction of highways throughout the state of Pennsylvania. I think the nub of the question which he raised is as to whether such condemnation for relocation is or is not a highway purpose. In my opinion certainly, in a liberal construction of that provision of the Constitution, it would be a highway purpose.

I would only say, Mr. Speaker, that we of course, are only the Legislature and we can only pass the laws. It remains for the courts to give the ultimate answer as to whether or not the power purported to be given by this bill is or is not beyond our power to create.

Mr. BOWMAN. Well, Mr. Speaker, it grieves me to disagree with my fellow colleague, fellow law student and fellow colleague in this House, the gentleman from Philadelphia, Mr. Lee.

I perhaps did not pay as much attention as he did in the constitutional law course, but be that as it may, I agree with him to the extent that the ultimate decision of constitutionality obviously lies with the courts. How-

ever, there is a heavy burden on this House, a heavy burden on us as individuals, to certainly consider the constitutionality of any legislation passing this House, and it is only with this thought in mind that I put to the Members of this House this question for their own determination. If you are going to liberally construe the Constitution, if you are going to say that economy can be translated into highway purposes, if you are going to say that diminution of damages is going to translate a condemnation into any public purpose, in my opinion we have gone too far, and much too far, if any of us are to have any recognition, any hope, any belief in the individual property rights of the citizens of this Commonwealth.

Mr. AUKER. Mr. Speaker, I want to say that I agree with everything the gentleman from Dauphin, Mr. Bowman, stated.

I spoke on this bill when it first came up a couple of weeks ago and then the bill was put on the postponed calendar, particularly as to this particular section. The amendments added to the section since have helped it somewhat so far as the zoning ordinances and plots that have already been approved for planning and so forth are concerned. But to my mind it has not changed one iota man's rights to own property, and to say what business might be established on that property.

Now they have put in here that in the case where there are no zoning ordinances, or no planning commission in effect, the township supervisors, or the particular municipality in which this particular property is located which is going to be condemned may move there some business, some junk yard, a garage, or some family you might not want to have as neighbors on your property or adjacent to you. Surely that is an individual property right. You bought the land and you have a right to say who will occupy the ground that you buy, unless it is for the safety, health and welfare of the people of the state as a whole.

I agree with Mr. Bowman that certainly if we pass this in its present form we are going a long, long way, and I hate to use this term, toward a police power of the state or a police state, where the state is all powerful. They can say to any man no matter whether he owns a property or not, we are going to take it and we are going to put a garage on there or whatever might have to be moved and we are going to put a business or a junk yard there, no matter what it might be. I say then we are going a long way toward making a police state out of our Commonwealth. I do not believe any of us want to take a step in that direction at all. To say that you are going to extend the right of a highway department or even of a municipal subdivision, to say that a man's property can be condemned for such a purpose as this under the so-called police powers of the state, safety, health and welfare of the people of the state, is certainly going beyond the wildest stretch of the imagination of what has always been my understanding of what constituted the police powers of the state. I think you are going away off the beam if we adopt this.

I raised the question three weeks ago, hoping that some proper amendment would be put in that you cannot condemn a man's property for such a purpose unless you get the consent of that person who owns that property. That of course is doing away with the right of

eminent domain, yes, but why should we give the right of eminent domain in such cases as this to the state, when it is not going to affect the safety or the health or the welfare of the people of this state except to save them money.

I think it is terrible legislation, with this amendment in this bill the way it is now, and I sincerely hope and ask every Member of the House to vote against this bill so that the proper safeguard at least can be put in this section to protect the person's individual property right. It is a God-given right and he ought to have a right to retain and keep it.

Mr. SCHWARTZ. Mr. Speaker, I have to agree with the gentleman's philosophy, but I do not think that his philosophy applies to this particular bill.

I think that this bill is clothed with adequate safeguards, even considering the section of the bill that Mr. Bowman was referring to. The only time that they have a right to take land under this bill for other than strictly highway purposes is enumerated in the bill. It is where the taking results in a land lock parcel or an economically useless parcel of property which is left over after they have taken the piece for highway purposes. I do not see anything wrong with that. If they are doing other than that the citizens of the Commonwealth of Pennsylvania still have their courts to which they can go to determine whether or not the highway Department or the Commonwealth of Pennsylvania are trespassing on their property rights.

This bill by an amendment had a new section put in that we do not have in the law, I refer to page 11, in which the Highway Department is now required to pay the property owner the sum of 75 percent. We do not have that in any law at the present time. We passed, I think in the last session, a "may" bill, a permissive bill, this bill says "shall." This is certainly a departure in the law which is beneficial to the property owner. This bill gives the property owners more rights now than they have ever had before. I say that we should not be picayune by picking on a word or a phrase or a sentence. We should read the entire bill from cover to cover and determine whether it is beneficial legislation in toto.

Mr. BOWMAN. The gentleman from Philadelphia, Mr. Schwartz, I believe has failed to heed his own admonition when he said the bill should be read in its entirety.

My objection is limited solely to section 22, on page 4, which specifically says "the acquisition of unimproved property for the purpose of moving and establishing thereon, buildings and structures located on land required by the highway," and so forth. The bill by its own language says for a purpose other than highway purposes, it is for the purpose of moving another building.

In my opinion it is that section and that section alone which is unconstitutional. I have no objection whatsoever to the remainder of the bill. The bill otherwise is an excellent bill in my opinion and the provision which he put so much emphasis on with respect to the payment of damages in the court in the total of 75 percent of the estimated amount is a fine provision. However, that does not alter the fact that this bill by its own language in subsection 22 on page 4 specifically says they are condemning land for non-highway purposes by their own terms.

Mr. BELL. Mr. Speaker, I am going to be very brief.

The gentleman from Philadelphia, Mr. Schwartz, said let us not be picayune. On the one side you have the Commonwealth of Pennsylvania, on the other side you have a home owner, the only thing he owns is his home, his right to live in a neighborhood, and I say that we should be very jealous in giving more power to the state of Pennsylvania than they already possess. Sure you can go to court, you can get your remedy in court, but what do you have to do, you have to prove your damages, and who can put a dollar value on the loss of your neighborhood. Furthermore when you go to court, you pay an attorney, one of my own profession, and you might pay him as high as 25 percent. I say this bill is bad.

Mr. SCHWARTZ. Mr. Speaker, I do not want to belabor the issue and I will only be a minute.

I want to go back to the section 22 that Mr. Bowman refers to, and let us read it. It says:

The acquisition of unimproved property for the purpose of moving and establishing thereon buildings and structures located on lands required for the highway.

Now it goes on further:

Where the owner of the buildings and structures consent in writing to the moving and where acquisition costs would be reduced by the moving.

In other words, this is limited to a situation in which the owner of the property consents to it in writing. It still limits it, it says, "required for the highway." It is therefore limited to highway uses and purposes.

Mr. AUKER. Mr. Speaker, I will not take up the House's time too much longer but, I think the statements of the gentleman from Philadelphia, ought to be clarified.

It does not provide for the consent of the property owner on whose land you are going to move the building or the junkyard or the garage or whatever it might be. Yes, it provides for the person who is going to be moved, his consent, but what about the poor guy who does not have anything to say about what is going to be placed on his land, that is the point we are raising.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—85

| | | | |
|------------|-----------------|-------------------|------------|
| Arlene, | Gelfand, | Mihm, | Sakulsky, |
| Balthaser, | Goodrich, | Mills, | Scarcelli, |
| Branca, | Hamilton, | Monroe, | Schaaf, |
| Burns, | Irviss, | Mullen, | Schuster, |
| Cianfrani, | Jenkins, | Munley, | Schwartz, |
| Cioffi, | Jim, | Murray, H. P., | Shupnik, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Snider, |
| Crossin, | Jones, F. R., | Musto, | Stone, |
| Curwood, | Kamyk, | Needham, | Sullivan, |
| Davis, | Kee, | Nelson, | Taylor, |
| Devlin, | Kornick, | O'Donnell, J. A., | Varallo, |
| Donahue, | Kovolenko, | O'Neill, | Verona, |
| Dougherty, | Leonard, | Parlante, | Wargo, |
| Edwards, | Limper, | Pashley, | Welsh, |
| Farabaugh, | Lopresti, | Perry, H. H., | Wheeler, |
| Filo, | Luigard, | Polaski, | Wynd, |
| Floyd, | Lutty, | Polen, | Yatron, |
| Flynn, | McCann, | Reibman, | Yetter, |
| Foerster, | McDonald, | Reidenbach, | Andrews, |
| Frank, | McLaughlin, | Renwick, | Speaker |
| Galley, | Machmer, | Riley, | |
| Gallagher, | Mehoichick, | Rovansek, | |

NAYS—74

| | | | |
|-------------|------------------|----------------|----------------------|
| Agnew, | George, | Light, | Stimmel, |
| Auker, | Gibb, | McCandless, | Stoner, |
| Barton, | Goldstein, | McInroy, | Strausser, |
| Bell, | Heavey, | Mahan, | Tompkins, |
| Bower, | Henzel, | Markley, | Trusio, |
| Bowman, | Holliday, | Miller, B. Z., | Ujobal, |
| Brenninger, | Horst, | Miller, H. G., | Varner, |
| Brown, | Isaacs, | Odorisio, | Wall, |
| Buchanan, | Johnson, R., | Ogilvie, | Weidner, |
| Comer, | Jones, T. H. W., | Prendergast, | Wescott, |
| Dengler, | Jump, | Price, | Williams, A.D., Jr., |
| Dennison, | Kelser, | Pursley, | Williams, E. S., |
| Donaldson, | Kernaghan, | Rigby, | Willard, |
| Down, | Kessler, | Royer, | Willaredt, |
| Eshback, | Knecht, | Seltzer, | Wilt, |
| Eshleman, | Kooker, | Snare, | Worley, |
| Fox, | Kubitsky, | Steckel, | Zimmerman, |
| Fulmer, | Lee, A. M., | Stevens, | |
| Garlock, | Lee, K. B., | Stewart, | |

NOT VOTING—49

| | | | |
|-----------|-------------|--------------------|------------|
| Anderson, | Fetterolf, | McKeever, | Petrosky, |
| Ashton, | Fineman, | Magee, | Rudisill, |
| Blair, | Frascella, | Maxwell, | Sherman, |
| Boles, | Gramlich, | Merry, | Silverman, |
| Bonner, | Guthrie, | Moran, | Stank, |
| Boris, | Heffner, | Muldowney, | Stroup, |
| Breth, | Helm, | Murphy, A. J., Jr. | Thompson, |
| Capano, | Hocker, | Murphy, P. J., | Walsh, |
| Capitolo, | Holt, | Murray, P. G., | Whittaker, |
| Cooper, | Korns, | Naugle, | Wood, |
| Dennis, | Lamb, | O'Dell, | |
| Ellberg, | Lippincott, | O'Donnell, J. P. | |
| Ewing, | McCormack, | Perry, P. E., | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair requests the gentleman from Cameron, Mr. Lopresti, to come to the desk.

Mr. LOPRESTI IN THE CHAIR.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want to say to the House that, of course, we are at a crossroads, really, in the life of our highway transportation system.

You all know that I fought the building of the shortway because I come from the northern tier counties and we felt highway Route 6 should be the system. I have advocated we should build that shortway and the other great expressways that are planned all over the state as rapidly as possible. It seems to me that a bill of this nature is necessary in order to expedite the highways that are planned under the interstate highway system.

It seems it might be worthwhile if the Majority Leader would appoint a committee of Members who are for and against this bill to come up with an answer so that something can be done this Session to make it possible for a quick, orderly and economical building of this huge network of roads planned under that interstate system. I am saying this to the Majority Leader, is he going to get the experts together and come up with a bill that we can all vote for?

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123), entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as

to the source of information procured or obtained by such person" extending the provisions of the act to include certain persons connected with radio and television stations.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

| | | | |
|------------|------------------|-------------------|-----------------------|
| Agnew, | George, | McLaughlin, | Snare, |
| Auker, | Gibb, | Mahan, | Snider, |
| Barton, | Goldstein | Markley, | Steckel, |
| Bell, | Goodrich, | Meholchick, | Stevens, |
| Bonner, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Holliday, | Miller, H. G., | Stone, |
| Brown, | Horst, | Mills, | Stoner, |
| Buchanan, | Irviss, | Munley, | Strausser, |
| Burns, | Jenkins, | Murray, H. P., | Tompkins, |
| Cianfrani, | Jim, | Murray, J. J., | Ujobal, |
| Cioffi, | Johnson, A. W., | Musto, | Varallo, |
| Clarke, | Jones, T. H. W., | Needham, | Varner, |
| Comer, | Jump, | O'Donnell, J. A., | Verona, |
| Crossin, | Kamyk, | Ogilvie, | Wall, |
| Dennison, | Kee, | Parlante, | Wargo, |
| Devlin, | Kelser, | Pashley, | Wescott, |
| Donahue, | Kessler, | Polaski, | Wheeler, |
| Donaldson, | Knecht, | Polen, | Williams, A. D., Jr., |
| Dougherty, | Kooker, | Price, | Williams, E. S., |
| Down, | Kovolenko, | Pursley, | Willard, |
| Edwards, | Kubitsky, | Reibman, | Willaredt, |
| Eshback, | Lee, A. M., | Reidenbach, | Wilt, |
| Eshleman, | Lee, K. B., | Renwick, | Worley, |
| Farabaugh, | Leonard, | Rigby, | Wynd, |
| Filo, | Light, | Riley, | Yatron, |
| Flynn, | Lopresti, | Rovansek, | Yetter, |
| Foerster, | Lutty, | Royer, | Zimmerman, |
| Fox, | McCandless, | Scarcelli, | Andrews, |
| Frank, | McCann, | Schuster, | Speaker |
| Fulmer, | McDonald, | Seltzer, | |
| Gallagher, | McInroy, | Shupnik, | |

NAYS—35

| | | | |
|-------------|---------------|---------------|-----------|
| Arlene, | Garlock, | Lulgard, | Sakulsky, |
| Balthaser, | Gelfand, | Machmer, | Schaaf, |
| Branca, | Henzel, | Monroe, | Schwartz, |
| Brenninger, | Isaacs, | Mullen, | Sullivan, |
| Curwood, | Johnson, R., | Nelson, | Taylor, |
| Davis, | Jones, F. R., | Odorisio, | Trusio, |
| Dengler, | Kernaghan, | O'Neil, | Weidner, |
| Floyd, | Kornick, | Perry, H. H., | Welsh, |
| Galley, | Limper, | Prendergast, | |

NOT VOTING—48

| | | | |
|-----------|-------------|--------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr. | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. _____

The House resumed the consideration on final passage of Senate Bill No. 648, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—83

| | | | |
|------------|-------------|-------------------|------------|
| Auker, | Garlock, | Mihm, | Rovansek, |
| Balthaser, | Goldstein, | Mills, | Sakulsky, |
| Bonner, | Goodrich, | Monroe, | Schaaf, |
| Bowman, | Hamilton, | Mullen, | Schuster, |
| Burns, | Heavey, | Munley, | Shupnik, |
| Cioffi, | Irviss, | Murray, J. J., | Snider, |
| Clarke, | Isaacs, | Musto, | Stone, |
| Comer, | Jenkins, | Needham, | Strausser, |
| Crossin, | Kamyk, | Nelson, | Sullivan, |
| Curwood, | Kornick, | O'Donnell, J. A., | Taylor, |
| Dennison, | Kovolenko, | Odorisio, | Trusio, |
| Devlin, | Leonard, | O'Neil, | Varallo, |
| Donaldson, | Lopresti, | Perry, H. H., | Varner, |
| Dougherty, | Lulgard, | Polaski, | Verona, |
| Farabaugh, | Lutty, | Polen, | Wargo, |
| Filo, | McCann, | Prendergast, | Wescott, |
| Flynn, | McDonald, | Reibman, | Wheeler, |
| Foerster, | McLaughlin, | Reidenbach, | Yatron, |
| Frank, | Machmer, | Renwick, | Yetter, |
| Galley, | Markley, | Rigby, | Andrews, |
| Gallagher, | Meholchick, | Riley, | Speaker |

NAYS—77

| | | | |
|-------------|------------------|----------------|-----------------------|
| Agnew, | Gelfand, | Lee, K. B., | Stevens, |
| Arlene, | George, | Light, | Stewart, |
| Barton, | Gibb, | Limper, | Stimmel, |
| Bell, | Henzel, | McCandless, | Stoner, |
| Bower, | Holliday, | McInroy, | Tompkins, |
| Branca, | Horst, | Mahan, | Ujobal, |
| Brenninger, | Jim, | Miller, B. Z., | Wall, |
| Brown, | Johnson, A. W., | Miller, H. G., | Weidner, |
| Buchanan, | Johnson, R., | Murray, H. P. | Welsh, |
| Cianfrani, | Jones, F. R., | Ogilvie, | Williams, A. D., Jr., |
| Davis, | Jones, T. H. W., | Parlante, | Williams, E. S., |
| Dengler, | Jump, | Pashley, | Willard, |
| Donahue, | Kee, | Price, | Willaredt, |
| Down, | Kelser, | Pursley, | Wilt, |
| Edwards, | Kernaghan, | Royer, | Worley, |
| Eshback, | Kessler, | Scarcelli, | Wynd, |
| Eshleman, | Knecht, | Schwartz, | Zimmerman, |
| Floyd, | Kooker, | Seltzer, | |
| Fox, | Kubitsky, | Snare, | |
| Fulmer, | Lee, A. M., | Steckel, | |

NOT VOTING—48

| | | | |
|-----------|-------------|--------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr. | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bil No. 591, Printer's No. 1844

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 652, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|--------------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garlock, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irviss, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobal, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odorisio, | Varnier, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Kelser, | O'Neil, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weldner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A.D. Jr. |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Filo, | Lee, K. B., | Reibman, | Willaredt, |
| Floyd, | Leonard, | Reidenbach, | Wilt, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Fox, | Lopresti, | Riley, | Yatron, |
| Frank, | Luigard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Zimmerman, |
| Gailey, | McCandless, | Sakulsky, | Andrews, |

Speaker

NAYS—0

NOT VOTING—48

| | | | |
|-----------|-------------|--------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A.J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 953, entitled:

An Act amending the "Cooperative Agriculture Non-Stock Associations Law" approved June 12, 1919 (P. L. 466) providing for deductions by Pennsylvania milk dealers and milk handlers for payments to cooperative agricultural associations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—101

| | | | |
|------------|-----------------|-------------------|------------|
| Agnew, | Garlock, | McInroy, | Scarcelli, |
| Auker, | George, | McLaughlin, | Schaaf, |
| Balthaser, | Gibb, | Machmer, | Seltzer, |
| Barton, | Goldstein, | Markley, | Shupnik, |
| Bonner, | Goodrich, | Meholchick, | Snare, |
| Bowman, | Hamilton, | Mihm, | Steckel, |
| Buchanan, | Heavey, | Miller, H. G., | Stevens, |
| Burns, | Irviss, | Munley, | Stewart, |
| Cianfrani, | Jenkins, | Murray, J. J., | Stimmel, |
| Cioffi, | Johnson, A. W., | Musto, | Strausser, |
| Clarke, | Jump, | Needham, | Sullivan, |
| Comer, | Kamyk, | Nelson, | Taylor, |
| Crossin, | Knecht, | O'Donnell, J. A., | Trusio, |
| Curwood, | Kornick, | Ogilvie, | Varallo, |
| Davis, | Kovolenko, | O'Neil, | Varnier, |
| Dennison, | Kubitsky, | Perry, H. H., | Verona, |
| Devlin, | Lee, A. M., | Polaski, | Wargo, |
| Edwards, | Lee, K. B., | Polen, | Wescott, |
| Eshleman, | Leonard, | Prendergast, | Wheeler, |
| Farabaugh, | Light, | Price, | Willard, |
| Filo, | Limper, | Reibman, | Wynd, |
| Flynn, | Lopresti, | Reidenbach, | Yatron, |
| Foerster, | Luigard, | Renwick, | Yetter, |
| Frank, | Lutty, | Rovansek, | Zimmerman, |
| Gailey, | McCann, | Royer, | Andrews, |
| Gallagher, | McDonald, | | Speaker |

NAYS—59

| | | | |
|-------------|------------------|----------------|---------------------|
| Arlene, | Gelfand, | Mahan, | Schwartz, |
| Bell, | Henzel, | Miller, B. Z., | Snider, |
| Bower, | Holliday, | Mills, | Stone, |
| Branca, | Horst, | Monroe, | Stoner, |
| Brenninger, | Isaacs, | Mullen, | Tompkins, |
| Brown, | Jim, | Murray, H. P., | Ujobal, |
| Dengler, | Johnson, R., | Odorisio, | Wall, |
| Donahue, | Jones, F. R., | Parlante, | Weldner, |
| Donaldson, | Jones, T. H. W., | Pashley, | Welsh, |
| Dougherty, | Kee, | Pursley, | Williams, A.D. Jr., |
| Down, | Kelser, | Rigby, | Williams, E. S., |
| Eshback, | Kernaghan, | Riley, | Willaredt, |
| Floyd, | Kessler, | Sakulsky, | Wilt, |
| Fox, | Kooker, | Schuster, | Worley, |
| Fulmer, | McCandless, | | |

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 1564, Printer's No. 1883

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1635, entitled:

An Act amending the "Lien Priority Law" approved June 28, 1951 (P. L. 927) providing that future advances made by a mortgagee or by a grantee of a defeasible deed in the nature of a mortgage, up to the original amount of the mortgage or deed for the purpose of repairing the mortgaged premises shall have the same priority and lien as the original mortgage or deed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—59

| | | | |
|------------|---------------|-------------------|----------------------|
| Arlene, | Garlock, | Mihm, | Rovansek, |
| Balthaser, | Irvls, | Mills, | Scarcelli, |
| Bonner, | Jim, | Monroe, | Schaaaf, |
| Branca, | Jones, F. R., | Mullen, | Schuster, |
| Cianfrani, | Kamyk, | Munley, | Schwartz, |
| Cioffi, | Kovolenko, | Needham, | Snider, |
| Clarke, | Leonard, | Nelson, | Stone, |
| Devlin, | Limper, | O'Donnell, J. A., | Sullivan, |
| Farabaugh, | Lopresti, | Parlante, | Taylor, |
| Filo, | Luigard, | Pashley, | Varallo, |
| Flynn, | Lutty, | Perry, H. H., | Wargo, |
| Foerster, | McCann, | Polaski, | Welsh, |
| Frank, | McDonald, | Polen, | Williams, A.D., Jr., |
| Galley, | McLaughlin, | Renwick, | Yatron, |
| Gallagher, | Meholchick, | Riley, | |

NAYS—0

| | | | |
|-------------|------------------|----------------|------------------|
| Agnew, | Fox, | Kubitsky, | Shupnik, |
| Auker, | Fulmer, | Lee, A. M., | Snare, |
| Barton, | Gelfand, | Lee, K. B., | Steckel, |
| Bell, | George, | Light, | Stevens, |
| Bower, | Gibb, | McCandless, | Stewart, |
| Bowman, | Goldstein, | McInroy, | Stimmel, |
| Brenninger, | Hamilton, | Machmer, | Stoner, |
| Brown, | Henzel, | Mahan, | Strausser, |
| Buchanan, | Holliday, | Markley, | Tompkins, |
| Burns, | Horst, | Miller, B. Z., | Ujobai, |
| Crossin, | Isaacs, | Miller, H. G., | Varner, |
| Curwood, | Jenkins, | Murray, H. P., | Verona, |
| Davis, | Johnson, A. W., | Odorliso, | Wall, |
| Dengler, | Johnson, R., | Ogilvie, | Weidner, |
| Dennison, | Jones, T. H. W., | O'Neill, | Wescott, |
| Donahue, | Jump, | Prendergast, | Williams, E. S., |
| Donaldson, | Kee, | Price, | Willard, |
| Dougherty, | Keiser, | Pursley, | Willaredt, |
| Down, | Kernaghan, | Reibman, | Wilt, |
| Edwards, | Kessler, | Rigby, | Worley, |
| Eshback, | Knecht, | Royer, | Wynd, |
| Eshleman, | Sakulsky, | Seltzer, | Zimmerman, |
| Floyd, | Kooker, | | |

NOT VOTING—59

| | | | |
|------------|-------------|---------------------|-------------|
| Anderson, | Frascella, | Magee, | Reidenbach, |
| Ashton, | Goodrich, | Maxwell, | Rudisill, |
| Blair, | Gramlich, | Merry, | Sherman, |
| Boles, | Guthrie, | Moran, | Silverman, |
| Boris, | Heavey, | Muldowney, | Stank, |
| Breth, | Heffner, | Murphy, A. J., Jr., | Stroup, |
| Capano, | Helm, | Murphy, P. J., | Thompson, |
| Capitolo, | Hocker, | Murray, J. J., | Trusio, |
| Comer, | Holt, | Murray, P. G., | Walsh, |
| Cooper, | Kornick, | Musto, | Wheeler, |
| Dennis, | Korns, | Naugle, | Whittaker, |
| Ellberg, | Lamb, | O'Dell, | Wood, |
| Ewing, | Lippincott, | O'Donnell, J. P., | Yetter, |
| Fetterolf, | McCormack, | Perry, P. E., | Andrews, |
| Fineman, | McKeever, | Petrosky, | Speaker |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 1975, Printer's No. 1166

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|-------------|------------------|-------------------|----------------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garlock, | McDonald, | Schaaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irvls, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobai, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odorliso, | Varner, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Kelser, | O'Neill, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weidner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A.D., Jr., |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Filo, | Lee, K. B., | Reibman, | Willaredt, |
| Floyd, | Leonard, | Reidenbach, | Wilt, |
| Flynn, | Light, | Renwick, | Wynd, |
| Foerster, | Limper, | Rigby, | Yatron, |
| Fox, | Lopresti, | Riley, | Yetter, |
| Frank, | Luigard, | Rovansek, | Zimmerman, |
| Fulmer, | Lutty, | Royer, | Andrews, |
| Galley, | McCandless, | Sakulsky, | Speaker |

NAYS—1

Worley,

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House Bill No. 2093, Printer's No. 1902 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2334, entitled:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) excluding the sale of certain items in resort communities from prohibitions against Sunday sales.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

| | | | |
|-------------|------------------|----------------|-----------------------|
| Agnew, | Fulmer, | McCandless, | Schaaf, |
| Arlene, | Gallagher, | McCann, | Schuster, |
| Auker, | Gelfand, | McDonald, | Schwartz, |
| Barton, | George, | McInroy, | Seltzer, |
| Bell, | Gibb, | McLaughlin, | Snare, |
| Bonner, | Goldstein, | Mahan, | Steckel, |
| Bower, | Goodrich, | Markley, | Stevens, |
| Bowman, | Heavey, | Mihm, | Stewart, |
| Branca, | Henzel, | Miller, B. Z., | Stimmel, |
| Brenninger, | Holliday, | Mills, | Stoner, |
| Brown, | Horst, | Monroe, | Strausser, |
| Buchanan, | Irvis, | Mullen, | Sullivan, |
| Cianfrani, | Isaacs, | Murray, H. P., | Taylor, |
| Cioffi, | Jenkins, | Murray, J. J., | Tompkins, |
| Clarke, | Johnson, A. W., | Musto, | Trusio, |
| Comer, | Johnson, R., | Needham, | Ujobal, |
| Crossin, | Jones, F. R., | Odoriso, | Varallo, |
| Davis, | Jones, T. H. W., | Ogilvie, | Varnier, |
| Dengler, | Jump, | Parlante, | Wall, |
| Dennison, | Kamyk, | Pashley, | Wargo, |
| Devlin, | Kee, | Polaski, | Weidner, |
| Donahue, | Kelser, | Polen, | Welsh, |
| Donaldson, | Kernaghan, | Reibman, | Wescott, |
| Dougherty, | Knecht, | Reidenbach, | Wheeler, |
| Down, | Kooker, | Prendergast, | Williams, A. D., Jr., |
| Edwards, | Kornick, | Price, | Williams, E. S., |
| Eshback, | Kubitsky, | Pursley, | Willard, |
| Eshleman, | Lee, A. M., | Renwick, | Willaredt, |
| Filo, | Lee, K. B., | Riley, | Wilt, |
| Floyd, | Leonard, | Royer, | Wynd, |
| Flynn, | Light, | Sakulsky, | Yetter, |
| Foerster, | Limper, | Scarcelli, | Zimmerman, |
| Fox, | Lutty, | | |

NAYS—30

| | | | |
|-----------|-------------|--------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Botes, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr. | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

NOT VOTING—48

| | | | |
|------------|----------------|-------------------|----------|
| Balthaser, | Jim, | Munley, | Snider, |
| Burns, | Kessler, | Nelson, | Stone, |
| Curwood, | Kovolenko, | O'Donnell, J. A., | Verona, |
| Farabaugh, | Lopresti, | O'Neil, | Worley, |
| Frank, | Lulgard, | Perry, H. H., | Yatron, |
| Galley, | Machmer, | Rigby, | Andrews, |
| Garlock, | Meholchick, | Rovansek, | Speaker |
| Hamilton, | Miller, H. G., | Shupnik, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court * * * certain state officers and the salary and expenses of the members of the General Assembly * * *" changing time for payment of certain portions of salary and expenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, bill 2436, Printer's No. 1873, is a bill that deals with our present salary payment schedule of the House of Representatives and the Senate of Pennsylvania.

As you know each month, except the month of December, payment checks are given. This bill would grant payment to the Members of the House and Senate in the month of December in the odd numbered year, which is not the year of election. Therefore, in that year which would be like this December, the regular monthly payment would be made, the regular January payment would be made, not the double payment which is normally paid in January. Then in the year in which all of the Representatives are elected to the House there would be no payment in December, but the double payment in January. This bill does not, in any way, add any additional money that is now paid.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garleck, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | Machmer, | Schwartz, |
| Barton, | Gibb, | McLaughlin, | Seltzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irvis, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P. | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobal, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odoriso, | Varnier, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Kelser, | O'Neil, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Weidner, |
| Donaldson, | Kessler, | Pashley, | Wargo, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |

| | | | |
|---|--|--|--|
| Edwards, Eshback, Eshleman, Farabaugh, Filo, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, Galley, | Kornick, Kovolenko, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, | Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer, Sakulsky, | Wheeler, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|--|

NAYS—0

NOT VOTING—48

| | | | |
|--|--|---|---|
| Anderson, Ashton, Blair, Boles, Boris, Breth, Capano, Capitolo, Cooper, Dennis, Eilberg, Ewing, | Fetterolf, Fineman, Frascella, Gramlich, Guthrie, Heffner, Helm, Hocker, Holt, Korns, Lamb, Lippincott, | McCormack, McKeever, Magee, Maxwell, Merry, Moran, Muldowney, Murphy, A.J., Jr., Murphy, P. J., Murray, P. G., Naugle, O'Dell, | O'Donnell, J. P., Perry, P. E., Petrosky, Rudisill, Sherman, Silverman, Stank, Stroup, Thompson, Walsh, Whittaker, Wood, |
|--|--|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

WELCOME

The SPEAKER pro tempore. The Chair would like to welcome to the Hall of the House two young gentlemen, Charles Flinner and Neal Murphy, journalistic students of the University of North Carolina, who have stopped in the hall of the House on their way to the Indianapolis, Indiana, Conference on Journalism.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphan's courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County * * *" changing the compensation of the members of the General Assembly.

On the question,

Will the House agree to the bill on third reading? It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. House Bill 2447, Printer's No. 1898, is the second bill dealing with the present pay and expenses of the Representatives and Senators of the General Assembly.

This is the bill that would change the present \$3,000 salary and \$3,000 expenses to \$6,000 salary, and the last section of the bill provides that it should be effective at the time the Constitution would permit. For example, I believe that you will agree that you cannot, by the Constitution, change your salary during your term of

office. Therefore, this legislation would be enacted and passed, and it would solve the questions that may arise or could arise regarding retirement payments and social security payments. This makes very sound legislation in solving that situation. There is no additional compensation in any way in this bill to any Representative or any Senator.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—150

| | | | |
|---|---|--|---|
| Agnew, Arlene, Balthaser, Barton, Bell, Bonner, Bower, Bowman, Branca, Brenninger, Brown, Buchanan, Burns, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eshback, Eshleman, Farabaugh, Filo, Floyd, Flynn, Foerster, Fox, Frank, Fulmer, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goodrich, Hamilton, Heavey, Henzel, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Kovolenko, Kubitsky, Lee, A. M., Leonard, Light, Limper, Lopresti, Luigard, Lutty, McCandless, McCann, | McDonald, McInroy, McLaughlin, Machmer, Mahan, Markley, Meholchick, Mihm, Miller, B. Z., Mills, Monroe, Mullen, Munley, Murray, H. P., Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. A., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Polaski, Polen, Prendergast, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanseck, Royer, Sakulsky, Scarcelll, | Schaaf, Schuster, Schwartz, Seltzer, Shupnik, Snare, Snider, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Sullivan, Taylor, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Wargo, Weldner, Welsh, Wescott, Wheeler, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wynd, Yatron, Yetter, Andrews, Speaker |
|---|---|--|---|

NAYS—10

| | | | |
|-----------------------------------|---|----------------------------|------------|
| Auker, Goldstein, Holliday, | Horst, Lee, K. B., Miller, H. G., | Price, Wilt, Worley, | Zimmerman, |
|-----------------------------------|---|----------------------------|------------|

NOT VOTING—48

| | | | |
|--|--|---|---|
| Anderson, Ashton, Blair, Boles, Boris, Breth, Capano, Capitolo, Cooper, Dennis, Eilberg, Ewing, | Fetterolf, Fineman, Frascella, Gramlich, Guthrie, Heffner, Helm, Hocker, Holt, Korns, Lamb, Lippincott, | McCormack, McKeever, Magee, Maxwell, Merry, Moran, Muldowney, Murphy, A.J., Jr., Murphy, P. J., Murray, P. G., Naugle, O'Dell, | O'Donnell, J. P., Perry, P. E., Petrosky, Rudisill, Sherman, Silverman, Stank, Stroup, Thompson, Walsh, Whittaker, Wood, |
|--|--|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

| | | | |
|-------------|------------------|-------------------|----------------------|
| Agnew, | Garlock, | McCann, | Schwartz, |
| Arlene, | Gelfand, | McDonald, | Seitzer, |
| Auker, | George, | McInroy, | Snare, |
| Balthaser, | Gibb, | Machmer, | Snider, |
| Barton, | Goldstein, | Mahan, | Steckel, |
| Bell, | Goodrich, | Markley, | Stevens, |
| Bonner, | Hamilton, | Meholchick, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Henzel, | Miller, H. G., | Stone, |
| Branca, | Holliday, | Mills, | Stoner, |
| Brenninger, | Horst, | Monroe, | Strausser, |
| Brown, | Isaacs, | Mullen, | Sullivan, |
| Buchanan, | Jim, | Murray, H. P., | Taylor, |
| Burns, | Johnson, A. W., | Murray, J. J., | Tompkins, |
| Cianfrani, | Johnson, R., | Musto, | Trusio, |
| Cioffi, | Jones, F. R., | O'Donnell, J. A., | Ujobal, |
| Comer, | Jones, T. H. W., | Odorisio, | Varallo, |
| Curwood, | Jump, | Ogilvie, | Varnar, |
| Davis, | Kee, | O'Neil, | Verona, |
| Dengler, | Kelser, | Parlante, | Wall, |
| Dennison, | Kernaghan, | Pashley, | Weidner, |
| Donahue, | Kessler, | Perry, H. H., | Welsh, |
| Donaldson, | Knecht, | Polaski, | Wescott, |
| Dougherty, | Kooker, | Polen, | Wheeler, |
| Down, | Kornick, | Prendergast, | Williams, A.D., Jr., |
| Edwards, | Kubitsky, | Price, | Williams, E. S., |
| Eshback, | Lee, A. M., | Pursley, | Willard, |
| Eshleman, | Lee, K. B., | Reidenbach, | Willaredt, |
| Farabaugh, | Leonard, | Renwick, | Wilt, |
| Floyd, | Light, | Rigby, | Worley, |
| Flynn, | Limper, | Riley, | Wynd, |
| Fox, | Lopresti, | Royer, | Yatron, |
| Fulmer, | Luigardi, | Sakulsky, | Yetter, |
| Galley, | Lutty, | Scarcelli, | Andrews, |
| Gallagher, | McCandless, | Schaaf, | Speaker |

NAYS—21

| | | | |
|-----------|------------|-------------|------------|
| Clarke | Frank, | McLaughlin, | Reibman, |
| Crossin, | Irvin, | Mihm, | Rovansek, |
| Devlin, | Jenkins, | Munley, | Schuster, |
| Filo, | Kamyk, | Needham, | Shupnik, |
| Foerster, | Kovolenko, | Nelson, | Wargo, |
| | | | Zimmerman, |

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 227, entitled:

An Act amending the act of July 12, 1919 (P. L. 941) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution * * *" changing provisions relating to the contents of the Legislative Journal.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|----------------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garlock, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seitzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stevens, |
| Brenninger, | Holliday, | Mills, | Stewart, |
| Brown, | Horst, | Monroe, | Stimmel, |
| Buchanan, | Irvin, | Mullen, | Stone, |
| Burns, | Isaacs, | Munley, | Stoner, |
| Cianfrani, | Jenkins, | Murray, H. P., | Strausser, |
| Cioffi, | Jim, | Murray, J. J., | Sullivan, |
| Clarke, | Johnson, A. W., | Musto, | Taylor, |
| Comer, | Johnson, R., | Needham, | Tompkins, |
| Crossin, | Jones, F. R., | Nelson, | Trusio, |
| Curwood, | Jones, T. H. W., | O'Donnell, J. A., | Ujobal, |
| Davis, | Jump, | Odorisio, | Varallo, |
| Dengler, | Kamyk, | Ogilvie, | Varnar, |
| Dennison, | Kee, | O'Neil, | Verona, |
| Devlin, | Kelser, | Parlante, | Wall, |
| Donahue, | Kernaghan, | Pashley, | Wargo, |
| Donaldson, | Kessler, | Perry, H. H., | Weidner, |
| Dougherty, | Knecht, | Polaski, | Welsh, |
| Down, | Kooker, | Polen, | Wescott, |
| Edwards, | Kornick, | Prendergast, | Wheeler, |
| Eshback, | Kovolenko, | Price, | Williams, A.D., Jr., |
| Eshleman, | Kubitsky, | Pursley, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Reibman, | Willard, |
| Filo, | Lee, K. B., | Reidenbach, | Willaredt, |
| Floyd, | Leonard, | Renwick, | Wilt, |
| Flynn, | Light, | Rigby, | Worley, |
| Foerster, | Limper, | Riley, | Wynd, |
| Fox, | Lopresti, | Rovansek, | Yatron, |
| Frank, | Luigardi, | Royer, | Yetter, |
| Fulmer, | Lutty, | Sakulsky, | Zimmerman, |
| Galley, | McCandless, | | Andrews, |
| | | | Speaker |

NAYS—0

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 297, entitled:

An Act repealing section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDSTEIN. Mr. Speaker, we understood this bill was to be carried over.

Mr. McCANN. Mr. Speaker, that was true until I mentioned to the Minority Floor Leader that the gentleman from Philadelphia, Mr. Gelfand, would explain the situation in the conference with the Senate. I believe I should yield the floor to him.

Mr. GELFAND. Mr. Speaker, I do not believe there should be any debate on this bill. All I was going to do was explain the situation. This is the same bill which passed the House on August 18, 1959, by a vote of 194 to 1.

It seems the Senate had exactly the same bill originating in the Senate, and they passed the bill unanimously, I believe, and it got over here. Since the House bill is going to be held up in committee on the other side of the building, they are requested that we report out the Senate bill and pass it in the House. There is no difference between this bill and the bill that was already passed here on August 18.

I have here the Legislative Journal of August 18 which says this:

The purpose of this bill is to repeal Section 650 of the Penal Code.

Under Section 650 of the Penal Code it is a crime for a pawnbroker to accept for pawn any article from any minor under the age of 16. We have at the same time on our statute books a section in the pawnbrokers Act which makes it a crime to accept anything to be pawned by a minor under 21. In other words, our law is presently in conflict. The Penal Code says under 16; the Pawnbrokers' Act says under 21.

In order to clarify the law we wish to simply repeal the applicable section in the Penal Code and make it very clear that it is our intent that it shall be a crime for anyone under 21, that is, for any pawnbroker to accept for pawn from anyone under 21.

As I said before, the House passed it by a vote of 194 to 1 at that time.

The SPEAKER pro tempore. Does the gentleman from Allegheny withdraw his objection to considering the bill at this time?

Mr. GOLDSTEIN. Yes, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------|----------------|-----------|
| Agnew, | Garlock, | McDonald, | Schaaf, |
| Arlene, | Gelfand, | McInroy, | Schuster, |
| Auker, | George, | McLaughlin, | Schwartz, |
| Balthaser, | Gibb, | Machmer, | Seltzer, |
| Barton, | Goldstein, | Mahan, | Shupnik, |
| Bell, | Goodrich, | Markley, | Snare, |
| Bonner, | Hamilton, | Meholchick, | Snider, |
| Bower, | Heavey, | Mihm, | Steckel, |
| Bowman, | Henzel, | Miller, B. Z., | Stevens, |
| Branca, | Holliday, | Miller, H. G., | Stewart, |
| Brenninger, | Horst, | Mills, | Stimmel, |

| | | | |
|------------|------------------|-------------------|----------------------|
| Brown, | Irvls, | Monroe, | Stone, |
| Buchanan, | Isaacs, | Mullen, | Stoner, |
| Burns, | Jenkins, | Munley, | Strausser, |
| Clanfrani, | Jim, | Murray, H. P. | Sullivan, |
| Cioffi, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Clarke, | Johnson, R., | Musto, | Tompkins, |
| Comer, | Jones, F. R., | Needham, | Trusio, |
| Crossin, | Jones, T. H. W., | Nelson, | Ujobal, |
| Curwood, | Jump, | O'Donnell, J. A., | Varallo, |
| Davis, | Kamyk, | Odorisio, | Varnier, |
| Dengler, | Kee, | Ogilvie, | Verona, |
| Dennison, | Keiser, | O'Neill, | Wall, |
| Devlin, | Kernaghan, | Parlante, | Wargo, |
| Donahue, | Kessler, | Pashley, | Weidner, |
| Donaldson, | Knecht, | Perry, H. H., | Welsh, |
| Dougherty, | Kooker, | Polaski, | Wescott, |
| Down, | Kornick, | Polen, | Wheeler, |
| Edwards, | Kovolenko, | Prendergast, | Williams, A.D., Jr., |
| Eshback, | Kubitsky, | Price, | Williams, E. S., |
| Eshleman, | Lee, A. M., | Pursley, | Willard, |
| Farabaugh, | Lee, K. B., | Reibman, | Willaredt, |
| Filo, | Leonard, | Reidenbach, | Wilt, |
| Floyd, | Light, | Renwick, | Worley, |
| Flynn, | Limper, | Rigby, | Wynd, |
| Foerster, | Lopresti, | Riley, | Yatron, |
| Fox, | Luigard, | Rovansek, | Yetter, |
| Frank, | Lutty, | Royer, | Zimmerman, |
| Fulmer, | McCandless, | Sakulsky, | Andrews, |
| Galley, | McCann, | Scarcell, | Speaker |
| Gallagher, | | | |

NAYS—0

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 428, Printer's No. 460,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of any person securing a loan be insured by a particular insurance company agent or broker.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|----------------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garlock, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irviss, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobal, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odorasio, | Varner, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Keiser, | O'Neil, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weldner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A.D., Jr., |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Filo, | Lee, K. B., | Reibman, | Willaredt, |
| Floyd, | Leonard, | Reidenbach, | Wilt, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Fox, | Lopresti, | Riley, | Yatron, |
| Frank, | Luigard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Zimmerman, |
| Galley, | McCandless, | Sakulsky, | Andrews, |

Speaker

NAYS—0

NOT VOTING—48

| | | | |
|-----------|-------------|--------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr. | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korna, | Murray, P. G., | Walsh, |
| Eilberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 873, entitled:

An Act amending the act of June 15, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|----------------------|
| Agnew, | Gallagher, | McDonald, | Scarcelli, |
| Arlene, | Garlock, | McCann, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irviss, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobal, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odorasio, | Varner, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Keiser, | O'Neil, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weldner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A.D., Jr., |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Filo, | Lee, K. B., | Reibman, | Willaredt, |
| Floyd, | Leonard, | Reidenbach, | Wilt, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Fox, | Lopresti, | Riley, | Yatron, |
| Frank, | Luigard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Zimmerman, |
| Galley, | McCandless, | Sakulsky, | Andrews, |

Speaker

NAYS—0

NOT VOTING—48

| | | | |
|-----------|-------------|--------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr. | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korna, | Murray, P. G., | Walsh, |
| Eilberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—156

| | | | |
|-------------|------------------|-------------------|-----------------------|
| Agnew, | Gallagher, | McCann, | Sakulsky, |
| Arlene, | Garlock, | McDonald, | Scarcell, |
| Auker, | Gelfand, | McInroy, | Schaaf, |
| Balthaser, | George, | McLaughlin, | Schuster, |
| Barton, | Gibb, | Machmer, | Schwartz, |
| Bell, | Goodrich, | Mahan, | Seltzer, |
| Bonner, | Hamilton, | Markley, | Shupnik, |
| Bower, | Heavey, | Meholchick, | Snare, |
| Bowman, | Henzel, | Mihm, | Snider, |
| Branca, | Holliday, | Miller, B. Z., | Steckel, |
| Brenninger, | Horst, | Miller, H. G., | Stewart, |
| Brown, | Irvis, | Mills, | Stimmel, |
| Buchanan, | Isaacs, | Monroe, | Stone, |
| Burns, | Jenkins, | Mullen, | Stoner, |
| Cianfrani, | Jim, | Munley, | Strausser, |
| Cioffi, | Johnson, A. W., | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, R., | Murray, J. J., | Taylor, |
| Comer, | Jones, F. R., | Musto, | Tompkins, |
| Crossin, | Jones, T. H. W., | Needham, | Trusio, |
| Curwood, | Jump, | Nelson, | Ujobal, |
| Davis, | Kamyk, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kee, | Odorisio, | Varnier, |
| Dennison, | Kelser, | Ogilvie, | Verona, |
| Devlin, | Kernaghan, | O'Neil, | Wall, |
| Donahue, | Kessler, | Parlante, | Wargo, |
| Dougherty, | Knecht, | Pashley, | Weldner, |
| Down, | Kooker, | Perry, H. H., | Welsh, |
| Edwards, | Kornick, | Polaski, | Wescott, |
| Eshback, | Kovolenko, | Polen, | Wheeler, |
| Eshleman, | Kubitsky, | Prendergast, | Williams, A. D., Jr., |
| Farabaugh, | Lee, A. M., | Price, | Williams, E. S., |
| Filo, | Lee, K. B., | Pursley, | Willard, |
| Floyd, | Leonard, | Reidman, | Willaredt, |
| Flynn, | Light, | Reidenbach, | Wilt, |
| Foerster, | Limper, | Renwick, | Wynd, |
| Fox, | Lopresti, | Rigby, | Yatron, |
| Frank, | Luigard, | Riley, | Yetter, |
| Fulmer, | Lutty, | Rovanssek, | Zimmerman, |
| Galley, | McCandless, | Royer, | Andrews, |

Speaker

NAYS—4

| | | | |
|------------|------------|----------|---------|
| Donaldson, | Goldstein, | Stevens, | Worley, |
|------------|------------|----------|---------|

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boies, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mrs. REIBMAN, Mr. Speaker, Senate Bill 983 is a bill which would permit teaching experience in private institutions from which the Department of Public Instruction purchases services on a tuition basis to count toward permanent certification.

If you look at Section 1205 on page 2 of the bill you will note that the Superintendent of Public Instruction shall issue a permanent college certificate to every graduate of a college or university approved by the State Council of Education, and of such departments as are approved by him, when the graduate furnishes satisfactory evidence of good moral character and successful experience in three years' teaching on a provisional college certificate.

In the first place a provisional college certificate must have been issued, then a permanent college certificate will be issued after the credit on experience in public schools of the Commonwealth, in private institutions from which the Department purchases services on a tuition basis and in state aided and state owned secondary schools.

The private institutions from which the Department purchases services on a tuition basis are taken from the directory issued by the Department of Public Institution, and they are these: Furman Clinic School for Crippled Children, Industrial Home for Crippled Children, Nursery School for Hearing Handicapped Children, Overbrook School for the Blind, The Pennsylvania School for the Deaf, Watson School for Crippled Children, Royer-Greaves School for the Blind, Western Pennsylvania School for Blind Children, Western Pennsylvania School for the Deaf.

The other state owned schools which are referred to in this bill are the Pennsylvania State Oral School for the Deaf, Scotland School for Veterans' Children and Thaddeus Stevens Trade School.

This bill was written primarily to permit these teachers who already have a provisional college certificate, and who teach in these particular schools for the handicapped children which are private institutions from which the state purchases tuition, to apply their services toward a permanent college certificate. I ask the House to support the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|-------------|-----------------|----------------|------------|
| Agnew, | Gallagher, | McCann, | Scarcell, |
| Arlene, | Garlock, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irvis, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Trusio, |
| Crossin, | Jones, F. R., | Needham, | Ujobal, |

| | | | |
|------------|------------------|-------------------|----------------------|
| Curwood, | Jones, T. H. W., | Nelson, | Varallo, |
| Davis, | Jump, | O'Donnell, J. A., | Varner, |
| Dengler, | Kamyk, | Odoristo, | Verona, |
| Dennison, | Kee, | Ogilvie, | Wall, |
| Devlin, | Kelser, | O'Neill, | Wargo, |
| Donahue, | Kernaghan, | Parlante, | Weidner, |
| Donaldson, | Kessler, | Pashley, | Welsh, |
| Dougherty, | Knecht, | Perry, H. H., | Wescott, |
| Down, | Kooker, | Polaski, | Wheeler, |
| Edwards, | Kornick, | Polen, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Prendergast, | Williams, E. S., |
| Eshleman, | Kubitsky, | Price, | Willard, |
| Farabaugh, | Lee, A. M., | Pursley, | Willaredt, |
| Filo, | Lee, K. B., | Reibman, | Wilt, |
| Floyd, | Leonard, | Reidenbach, | Worley, |
| Flynn, | Light, | Renwick, | Wynd, |
| Foerster, | Limper, | Rigby, | Yatron, |
| Fox, | Lopresti, | Riley, | Yetter, |
| Frank, | Luigard, | Rovansek, | Zimmerman, |
| Fulmer, | Lutty, | Royer, | Andrews, |
| Galley, | McCandless, | Sakulsky, | Speaker |

NAYS—1

Tompkins,

NOT VOTING—48

| | | | |
|-----------|-------------|--------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boies, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hooker, | Murphy, A. J., Jr. | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 1059, Printer's No. 1574

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. I wish the Members would check Senate Bill No. 1079, Printer's No. 1382, very carefully. This bill, of course, passed the Senate. I have in my possession a Pennsylvania Joint Veterans Council communication from Mr. J. Hugh McNeill, its Legislative Representative, under date of November 9.

We are very much interested in approval by the House of Representatives of Senate Bill 1079 (Printer's Number, in the Senate, 1382), which is now in the House Rules Committee, according to the weekly History, dated November 9.

This bill corrects the alleged objections by the Supreme Court, and defines an area that was questioned before the Court. The Court, itself, implied that the area should be defined by the General Assembly in its decision to rule against certain veterans employed by the Commonwealth under Civil Service rules and regulations.

The subject matter included in S-1079 was mandated for legislative approval by The American Legion at its convention in Pittsburgh last July, and subsequently became a mandate of the Pennsylvania Joint Veterans Council which adds the approval and efforts of the additional nine of Pennsylvania's biggest veterans organizations.

Then the last paragraph:

Realizing that your minutes are crowded—and so forth—With the highest personal regards, I remain, Most cordially yours.

Mr. Speaker, this bill is here because of their request and their mandate in this field, but I bring to the attention of the Members that there is one section in the bill in which I believe veterans would lose their points in preference in promotion under Civil Service rules and regulations that now exist.

The Joint Veterans Council requested this bill. This bill passed the Senate. The American Legion mandated the bill and desired the bill. Yet I request the Members to check the bill very carefully, Senate Bill 1079, Printer's No. 1382, regarding that section.

Mr. OGILVIE. Mr. Speaker, I question whether any veteran would give up his veteran's preference right in the question of a promotion, and I question the right of the Secretary of the Joint Veterans Council to speak as he has in this letter. I think it is the right of every Member of this House and that he should have the courtesy, to go back to his local veterans' post and find out from them how they feel about this.

On the question, recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. OGILVIE. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL PASSED OVER

There being no objection

Senate Bill No. 1081, Printer's No. 1361

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|---------------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garlock, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irvls, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobal, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odorisio, | Varnier, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Kelser, | O'Neil, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weidner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A.D. Jr., |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Filo, | Lee, K. B., | Reibman, | Willaredt, |
| Floyd, | Leonard, | Reidenbach, | Wilt, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Fox, | Lopresti, | Riley, | Yatron, |
| Frank, | Lulgard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Zimmerman, |
| Galley, | McCandless, | Sakulsky, | Andrews, |

Speaker

NAYS—0

NOT VOTING 48

| | | | |
|-----------|-------------|---------------------|------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P. |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirements that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, I thought the gentleman from Bucks, Mr. Williams, wanted to speak on the bill.

Mr. A. D. WILLIAMS. Mr. Speaker, yesterday I had some objections to this bill. Mr. McCann, the Majority Leader, was kind enough to turn his file over to me. I am satisfied that it is probably good legislation.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|-------------|------------------|-------------------|---------------------|
| Agnew, | Gallagher, | McCann, | Scarcelli, |
| Arlene, | Garlock, | McDonald, | Schaaf, |
| Auker, | Gelfand, | McInroy, | Schuster, |
| Balthaser, | George, | McLaughlin, | Schwartz, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein, | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Holliday, | Miller, H. G., | Stewart, |
| Brown, | Horst, | Mills, | Stimmel, |
| Buchanan, | Irvls, | Monroe, | Stone, |
| Burns, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Musto, | Tompkins, |
| Crossin, | Jones, F. R., | Needham, | Trusio, |
| Curwood, | Jones, T. H. W., | Nelson, | Ujobal, |
| Davis, | Jump, | O'Donnell, J. A., | Varallo, |
| Dengler, | Kamyk, | Odorisio, | Varnier, |
| Dennison, | Kee, | Ogilvie, | Verona, |
| Devlin, | Kelser, | O'Neil, | Wall, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weidner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Polaski, | Wescott, |
| Edwards, | Kornick, | Polen, | Wheeler, |
| Eshback, | Kovolenko, | Prendergast, | Williams, A.D. Jr., |
| Eshleman, | Kubitsky, | Price, | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Pursley, | Willard, |
| Filo, | Lee, K. B., | Reibman, | Willaredt, |
| Floyd, | Leonard, | Reidenbach, | Wilt, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Fox, | Lopresti, | Riley, | Yatron, |
| Frank, | Lulgard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Zimmerman, |
| Galley, | McCandless, | Sakulsky, | Andrews, |

Speaker

NAYS—0

NOT VOTING—48

| | | | |
|-----------|-------------|---------------------|-------------------|
| Anderson, | Fetterolf, | McCormack, | O'Donnell, J. P., |
| Ashton, | Fineman, | McKeever, | Perry, P. E., |
| Blair, | Frascella, | Magee, | Petrosky, |
| Boles, | Gramlich, | Maxwell, | Rudisill, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heffner, | Moran, | Silverman, |
| Capano, | Helm, | Muldowney, | Stank, |
| Capitolo, | Hocker, | Murphy, A. J., Jr., | Stroup, |
| Cooper, | Holt, | Murphy, P. J., | Thompson, |
| Dennis, | Korns, | Murray, P. G., | Walsh, |
| Ellberg, | Lamb, | Naugle, | Whittaker, |
| Ewing, | Lippincott, | O'Dell, | Wood, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

BILL PASSED OVER

There being no objection

House Bill No. 1472, Printer's No. 1777

was passed over at the request of the SPEAKER pro tempore.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1592.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators' licenses in accordance therewith.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 8, by striking out after the word "of" the word "operator's" and inserting in lieu thereof the word "operators"; Section 1, page 3, line 3, by striking out the word "operators" and inserting in lieu thereof the word "operator's"; line 5, by striking out after the letters "vania" the word "operators" and inserting in lieu thereof the word "operator's"; line 7, by striking out after the word "a" the word "learners" and inserting in lieu thereof the word "learner's"; line 10, by striking out at the beginning of the line the word "operators" and inserting in lieu thereof the word "operator's"; line 15, by striking out after the bracketed letters and figures "(lar (\$1.00))" the following: "two dollars (\$2.00) per year five dollars (\$5.00) for a license period of two years" and inserting in lieu thereof the following: "two dollars and fifty cents (\$2.50) per year"; line 18, by striking out after the word "duplicate" the word "operators" and inserting in lieu thereof the word "operator's"; page 4, line 11, by striking out after the word "initial" the word "operators" and inserting in lieu thereof the word "operator's"; Section 2, line 14, by striking out after the word "The" the word "operators" and inserting in lieu thereof the word "operator's"; line 17, by striking out after the word "an" the word "operators" and inserting in lieu thereof the word "operator's".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, House Bill 1592 is a bill dealing with operators' licenses in the Commonwealth of Pennsylvania, changing the fee for the license.

As most of you know we passed the bill in the House at \$2.00. In the Senate it was amended to \$2.50, with the same provisions in the bill as existed when it left the House, by 1961 or later, making the licensing period for

two years, with the approval of the Secretary of Revenue, when they would work out the best possible system.

This bill, of course, was debated in the House at great length on the \$2.00 fee, and this is a \$2.50 fee. We are moving right along on this particular bill because no later than Tuesday of next week we must make some disposition of this bill in order to send out the five million or more operators' license applications which must be handled for the coming year.

I request that the House concur in the amendments placed in the bill by the Senate.

On the question recurring,

Will the House agree to the amendments?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—51

| | | | |
|-------------------|----------------------|--------------------------|-------------------|
| Arlene, | Galley, | McDonald, | Riley, |
| Balthaser, | Gallagher, | McLaughlin, | Rovansek, |
| Bonner, | Garlock, | Monroe, | Schwartz, |
| Branca, | Gelfand, | Mullen, | Snider, |
| Burns, | Hamilton, | O'Donnell, J. A., | Sullivan, |
| Cianfrani, | Jim, | Pariente, | Taylor, |
| Cioffi, | Jones, F. R., | Pashley, | Varallo, |
| Comer, | Kamyk, | Perry, H. H., | Verona, |
| Dougherty, | Kovolenko, | Polaski, | Welsh, |
| Farabaugh, | Limper, | Polen, | Yetter, |
| Filo, | Lopresti, | Prendergast, | Zimmerman, |
| Floyd, | Lulgard, | Reibman, | Andrews, |
| Frank, | McCann, | Renwick, | Speaker |

NAYS—82

| | | | |
|--------------------|-------------------------|-----------------------|-----------------------------|
| Auker, | Gibb, | McCandless, | Shupnik, |
| Barton, | Goldstein, | McInroy, | Snare, |
| Bell, | Henzel, | Machmer, | Stevens, |
| Bower, | Holliday, | Mahan, | Stewart, |
| Bowman, | Horst, | Meholchick, | Stoner, |
| Brenninger, | Isaacs, | Miller, B. Z., | Strausser, |
| Brown, | Johnson, A. W., | Miller, H. G., | Tompkins, |
| Buchanan, | Johnson, R., | Munley, | Trusio, |
| Crossin, | Jones, T. H. W., | Murray, H. P. | Ujobai, |
| Davis, | Jump, | Musto, | Varnier, |
| Dengler, | Kee, | Needham, | Wall, |
| Donahue, | Kelser, | Nelson, | Wargo, |
| Donaldson, | Kernaghan, | Odorisio, | Weidner, |
| Edwards, | Kessler, | Ogilvie, | Wescott, |
| Eshback, | Knecht, | O'Neil, | Williams, A.D., Jr., |
| Eshleman, | Kooker, | Price, | Williams, E. S., |
| Flynn, | Kubitsky, | Pursley, | Willaredt, |
| Fox, | Lee, A. M., | Rigby, | Wilt, |
| Fulmer, | Lee, K. B., | Royer, | Worley, |
| George, | Light, | Schaaf, | Wynd, |
| | | Seltzer, | Yatron, |

NOT VOTING—75

| | | | |
|-------------------|--------------------|----------------------------|--------------------|
| Agnew, | Fineman, | McCormack, | Reidenbach, |
| Anderson, | Foerster, | McKeever, | Rudisill, |
| Ashton, | Frascella, | Magee, | Sakulsky, |
| Blair, | Goodrich, | Markley, | Scarcelli, |
| Boles, | Gramlich, | Maxwell, | Schuster, |
| Boris, | Guthrie, | Merry, | Sherman, |
| Breth, | Heavey, | Mihm, | Silverman, |
| Capano, | Heffner, | Mills, | Stank, |
| Capitolo, | Helm, | Moran, | Steckel, |
| Clarke, | Hocker, | Muldowney, | Stimmel, |
| Cooper, | Holt, | Murphy, A. J., Jr., | Stone, |
| Curwood, | Irviss, | Murphy, P. J., | Stroup, |
| Dennis, | Jenkins, | Murray, J. J., | Thompson, |
| Dennison, | Kornick, | Murray, P. G., | Walsh, |
| Devlin, | Korns, | Naugle, | Wheeler, |
| Down, | Lamb, | O'Dell, | Whittaker, |
| Ellberg, | Leonard, | O'Donnell, J. P., | Willard, |
| Ewing, | Lippincott, | Perry, P. E., | Wood, |
| Fetterolf, | Lutty, | Petrosky, | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a former Member of this House, the gentleman from Allegheny County, Mr. Patrick J. Corr.

HOUSE RESOLUTION No. 93

The resolution was read, considered and adopted as follows:

In the House of Representatives, June 30, 1959.

The people of the United States have the fairest system of taxation that has ever been designed. The Federal Income Tax's best feature is the built-in concept of "ability-to-pay." By this is meant simply that those with the highest income best able to pay carry their proportionate share of the tax load. Those who because of low incomes are less able to pay still contribute but in a lesser proportion. This is the most equitable system that has ever been designed. This principal of "ability to pay" is accomplished by means of a standardized deduction and an exemption. This exemption today stands at six hundred dollars per person and the taxpayer can claim this amount for each member of his family.

For the average family however six hundred dollars is an unrealistic figure. The taxpayer's expenses for food rent and the other constant expenses necessary to maintain his standard of living at a level commensurate with this country's economic prosperity reflect a much greater amount than the six hundred dollars allowed. Surely no one would expect a person to live on six hundred dollars for a year.

Unless something is done about this problem the "ability to pay" concept in our Federal Income Tax program will become meaningless. The greatest advantage of our tax system will be a farce and the average family and the average taxpayer will bear more than his share to the extent of facing an uncertain and desperate financial future therefore be it.

Resolved That the House of Representatives memorialize the Congress of the United States to consider this problem facing the millions of average taxpayers who represent the families who are finding difficulty in maintaining an adequate standard of living and be it further.

Resolved That the Congress help relieve this problem by raising the present six hundred dollars personal exemption.

Mr. DAVIS. Mr. Speaker, I would like to get authorization of the House to be recorded as voting, no, on Resolution 93.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

HOUSE RESOLUTION No. 98

The resolution was read, considered and adopted as follows:

In the House of Representatives, July 28, 1959.

The cost of Blue Cross Insurance has risen twenty-eight percent in the last six months and the number of days covered by the insurance has been cut from one hundred twenty to seventy-five.

This matter is of grave concern to residents of Pennsylvania since it not only raises insurance costs but gives less insurance protection in the vitally important area of hospitalization therefore be it.

Resolved (the Senate concurring) That the Joint State Government Commission be directed to study and investigate the costs of Blue Cross Hospitalization Insurance and the length of time for which protection is given by such insurance and be it further.

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk present the same to the Senate for its concurrence.

HOUSE RESOLUTION No. 112

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 10, 1959.

Pennsylvania was founded out of concern for the oppressed.

The existence of millions of refugees in the world today presents a challenging opportunity for alleviation of their plight.

The United States has recognized the extent and gravity of the international refugee situation by designating a World Refugee Year co-sponsoring a United Nations resolution which was overwhelmingly passed by the last General Assembly.

The President of the United States in a Proclamation has urged all United States citizens to support generously the programs developed by the United States Committee for Refugees and by other voluntary welfare agencies therefore be it.

Resolved That the General Assembly of the Commonwealth of Pennsylvania record its approval of the observance of World Refugee Year between July 1, 1959 and June 30, 1960 and be it further.

Resolved That the General Assembly recommend the wholehearted support of its humanitarian objectives by the citizens of the Commonwealth.

HOUSE RESOLUTION No. 113

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 15, 1959.

Numerous attempts have been made to abolish capital punishment within this Commonwealth and provide for the substitution of a life sentence in lieu thereof. It is the feeling of many persons that capital punishment is long outmoded and is not in keeping with the religious moral or social standards of today. A number of states which had capital punishment have changed such punishment and in lieu thereof substituted a life sentence. A large number of the clergy of the Commonwealth have expressed a desire for a full and complete study of capital punishment therefore be it.

Resolved That the Joint State Government Commission be directed to conduct a thorough study of capital punishment throughout the United States and to submit to the next session of the General Assembly its findings and recommendations in regard to the abolition thereof.

HOUSE RESOLUTION No. 114

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 16, 1959.

In 1800 the infant Federal Government moved to its permanent capital in Washington D C but Maryland and Virginia in completing the cession of the District of Columbia failed to make any provision to protect the voting rights of residents occupying the ceded area. A reasonable assumption is that the state thought Congress would provide some method of voting.

Our Nation's capital Washington D C is unquestionably the home and symbol of the ideal of American Representative Democracy yet 831,000 citizens in the Nation's capital are denied the right to vote for the people they want to represent them a population greater than that of any one of twelve states.

There is no "local" government in the District of Columbia. Local laws are passed by Congress and signed by the President. Congress must approve every cent of local expenditure. The municipal government is an agency of Congress. A number of other Federal bureaus, departments and agencies have certain functions in the government of the area.

Since the people of the District of Columbia have no vote and if taxation without representation is tyranny than it exists in the capital of this great land In addition it is questionable whether the Congressmen are very conscious of the needs of the people of the District of Columbia since they must first represent their own districts and second they have thousands of problems relating to the nation as a whole and the world

Originally this system might have worked if the District of Columbia contained nothing but government buildings and institutions However as a result of the great influx of population Congress must legislate in such matters as zoning streets parking and other services Again the need for a local government in the District is very evident

While thousands of words are heard relating to the sanctity of the right to vote in America in connection with the civil rights debates the most wholesale voting discrimination in this country is ignored

We the people of the Commonwealth of Pennsylvania are strongly in favor of home rule We believe that Congress should give this right to the people of the District of Columbia therefore be it

Resolved That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact legislation to give the people of the District of Columbia the right to elect the officials to administer their local affairs to vote in Presidential elections and to have voting representation in the Congress of the United States and be it further

Resolved That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States

HOUSE RESOLUTION No. 116

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 22, 1959.

Overbrowsing by deer has caused extensive injury to the timber industry which is engaged in a sustained yield forest management program. In some areas an excessive deer population has eliminated completely or greatly retarded the normal regeneration processes. The deer population should of course be preserved as one of our natural resources but we must also recognize our duty to the persons who suffer damage from deer therefore be it

Resolved, That the Joint State Government study and investigate the problem of forest crop damage by deer and determine an equitable and efficient means of providing reimbursement to the persons suffering such damage and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

HOUSE RESOLUTION No. 119

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 29, 1959.

Whereas, There are many laws on the books of the Commonwealth relating to escheat and

Whereas, Many of these laws overlap and conflict in their application and

Whereas, House Bill 1417 was introduced to consolidate amend and revise the escheat laws of the Commonwealth and

Whereas, The sub-committee which was appointed by the Committee on Judiciary spent long hours trying to work out a workable escheat law and

Whereas, Public hearings were held and briefs filed on the problem yet because of the complexity of the situation and the lack of time the sub-committee was unable to solve the problems therefore be it

Resolved, That the Joint State Government Commission be directed to make a study of the laws relating to escheat and be it further

Resolved, That the Joint State Government Commission avail themselves of the hearings which were held as well as the briefs which were filed and be it further

Resolved, That if they so desire they may request information from any of the members of the sub-committee and be it further

Resolved, That the Joint State Government Commission make a report of its findings to the General Assembly as soon as possible but no later than the next session together with appropriate legislation to carry its findings into effect

HOUSE RESOLUTION No. 120

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 30, 1959.

The House of Representatives requires for its use comprehensive factual information concerning

(1) The high cost of higher education and

(2) Scholarships and financial assistance available to worthy students who are unable to attend institutions of higher learning because of financial reasons therefore be it

Resolved, That the Joint State Government Commission be directed to study and investigate

(1) The high cost of higher education its causes and the effects thereof on our economic and social system and programs whereby the costs may be reduced and

(2) Scholarships and financial assistance available to worthy students and programs whereby such assistance may be expanded with particular emphasis directed toward State Colleges Universities and State aided institutions of higher learning and be it further

Resolved, That the Joint State Government Commission report to the House of Representatives at the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

HOUSE RESOLUTION No. 124

The resolution was read, considered and adopted as follows:

In the House of Representatives, October 19, 1959.

The Susquehanna River watershed in Maryland and Pennsylvania was once the spawning ground for millions of migratory fish.

The placing of dams across the Susquehanna River in Pennsylvania and Maryland without providing ways or devices whereby migratory fish could ascend the main-stream and tributaries to spawn has effectively removed migratory fish from the watershed.

It is considered desirable to restore the natural life cycle for warm water fish in the Susquehanna River watershed.

The cooperation of the sister states of Maryland and Pennsylvania is needed to bring migratory fish back into the watershed therefore be it

Resolved (the Senate concurring) That it is the general sense of the House and Senate of the Legislature of Pennsylvania that fishways or other devices of similar purport ought to be installed at the dams in the Susquehanna River to enable migratory fish to ascend the mainstream and tributaries thus restoring a natural food base of the residents of the watershed and restoring the streams of the watershed as natural breeding grounds for food and game fish and further that this general sense of the Pennsylvania Legislature be represented to the Legislature of Maryland together with the desire and request of the Pennsylvania Legislature that the Legislature of Maryland similarly record its sense that the natural life cycle for warm water fish in the Susquehanna River watershed in Maryland and Pennsylvania ought to be restored by installation of fishways or comparable devices at the dams in the Susquehanna River and be it further

Resolved, That copies of this resolution be forwarded to the presiding officer of each House of the Legislature of Maryland.

Ordered, That the Clerk present the same to the Senate for its concurrence.

Mr. AUKER. Mr. Speaker, I want to be noted on the record as voting no on Resolution 124, Printer's No. 1945.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

HOUSE RESOLUTION No. 126

The resolution was read, considered and adopted as follows:

In the House of Representatives, October 20, 1959.

A great deal of confusion lack of understanding and thus controversy has arisen over House Bill 1702, Printer's No. 1634 pertaining to establishing a new Highway Act to revise consolidate and amend the various act relating to highways particularly the existing Highway Act of 1945.

Despite many weeks of study and hearings by the House Committee on Highways and the considerable expense of reprinting the amended bills of House Bill 1702 many members of this House remained confused as to its purpose necessity and meaning.

It is imperative therefore that a thorough study be made of this proposed legislation in order to determine whether or not its enactment would be in the best interests of our Commonwealth as a whole therefore be it

Resolved That the Joint State Government Commission be directed to study and thoroughly investigate the advantages and disadvantages to our Commonwealth of enacting legislation similar to 1959 House Bill 1702, Printer's No. 1634 and be it further

Resolved That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

HOUSE RESOLUTION No. 127

The resolution was read, considered and adopted as follows:

In the House of Representatives, November 10, 1959.

Some educators are of the opinion that school children are admitted to school at too early an age.

The present chronological age requirement may allow children to enter school before they are mentally prepared thereby impeding the progress of those pupils of adequate development therefore be it

Resolved That the Joint State Government Commission be directed to investigate and study the problem of entrance ages of school children to determine whether or not the present chronological age requirements are too low and be it further

Resolved That the Joint State Government Commission report its findings and recommendations to the next regular session of the General Assembly.

SENATE RESOLUTION SERIAL No. 105

The resolution was read, considered and adopted as follows:

In the Senate, February 2, 1959.

Emergency situations require immediate action. A hesitation or delay of days or even hours can spell the difference between safety or terrible disaster. The power to act immediately in any emergency or impending emergency should be inherent in the Officials of our Commonwealth. This power should include the authority to undertake any project deemed necessary for the protection of the public and to take action on a moment's notice to forestall impending danger, no matter what its source may be. The authority to expend funds necessary to finance such action, including rehabilitation and rectification thereafter, should accompany the power to act.

During the disaster recently experienced, we were fortunate in one respect, that being that the Legislature was in session to authorize action. On future occasions precious time may be lost in an attempt to obtain such Legislative approval; therefore be it

Resolved, (The House of Representatives concurring), That the Joint State Government Commission make a thorough study to determine how to best overcome all impediments to the taking of immediate and effective action by Officials of our Commonwealth in cases of emergency or cases of impending emergency, and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk inform the Senate accordingly.

SENATE RESOLUTION SERIAL No. 112

The resolution was read, considered and adopted as follows:

In the Senate, June 2, 1959.

Consumer credit has, during the twentieth century, attained a position of major importance in the economy of the United States and the Commonwealth of Pennsylvania specifically.

The citizens of the Commonwealth purchasing goods and services through the use of consumer credit are now numbered in millions and the value of such goods and services is now counted in billions of dollars.

The lending of money and the extension of credit for consumer purposes at reasonable and fair charges contributes to a higher standard of living for the citizens of Pennsylvania and promotes a strong and healthy economy and, therefore, the continued maintenance of adequate sources of consumer credit at fair and reasonable charges is of utmost importance to the economic welfare of the citizens of this Commonwealth.

The term "consumer credit" is generally recognized as encompassing all credit extended to consumers whether in the form of a cash loan or in connection with the sale of goods or services.

The purchase of insurance on behalf of borrowers and purchasers by lenders and sellers of goods or services on deferred or installment payment basis is common practice in the consumer credit business and the charges for such insurance constitute a substantial part of the total charges which the consumer is required to pay.

It is the policy of the Commonwealth of Pennsylvania to encourage and promote the development of adequate sources of consumer credit to meet the needs of our modern economy and, to that end, regulate and control the charges, terms and conditions for the lending of money and the extension of credit for consumer purposes in the interest of and for the protection of both the borrower and lender.

With the exception of the Motor Vehicle Sales Finance Act of 1947, applying to installment sales of motor vehicles, there are no laws of the Commonwealth regulating interest and other charges that may be imposed upon buyers of goods or services by the sellers thereof.

There are many ethically conducted and honestly operated lenders and sellers dealing in consumer credit and engaging in the business of financing the sales of goods and services and it appears that there are other persons and companies engaging in the financing of goods and services who impose upon the consumer excessive and oppressive charges and otherwise engage in practices which are unjustifiably detrimental to the consumer and inimical to the public welfare.

New methods for making consumer loans and for financing purchases of consumer goods and prefabricated homes, sometimes called "pre-cut," "packaged" and "pre-construction" homes, on an installment basis have been devised and are used by lender and sellers of goods which impose upon the borrower or purchaser charges which appear to be unreasonable, excessive and op-

pressive and which are not limited or regulated under existing laws; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission is hereby directed to study and investigate all matters connected with the operation of and conditions prevailing in the financing in this Commonwealth of the sales of goods or services and prefabricated homes which are sold or supplied on what is commonly known as the installment payment plan, for the purpose of ascertaining the equity and fairness of charges imposed on the consumers and as to any improper burdensome or oppressive practices deemed to be inimical to the public good or which result in disadvantage or detriment to the public generally; and be it further

Resolved, That the Joint State Government Commission is hereby directed to study all existing laws of the Commonwealth pertaining to consumer credit extended on a cash loan basis and to investigate and explore all matters pertaining to individuals and agencies engaged in such business, the practices and methods followed in making such loans, the charges imposed therefor and the adequacy of existing sources of consumer credit; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk inform the Senate accordingly.

SENATE RESOLUTION SERIAL No. 114

The resolution was read, considered and adopted as follows:

In the Senate, July 27, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining be revised and codified; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and non-metallic mining, and to prepare a revision and codification the Joint State Government Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster, and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, representatives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study, together with its draft of a codification of the mining laws, to the next General Assembly.

Ordered, That the Clerk inform the Senate accordingly.

SENATE RESOLUTION SERIAL No. 116

The resolution was read, considered and adopted as follows:

In the Senate, August 10, 1959.

Whereas, It has been predicted that college enrollments in the Commonwealth will greatly increase during the decade ahead; and

Whereas, The predictions of increases in college enrollment range from 57 percent to 127 percent; and

Whereas, It has been alternatively proposed that State-owned institutions be expanded, that State-aided institutions be expanded and that junior colleges be established, either independently or as an adjunct to the public school system; and therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed:

(1) To evaluate the predictions of increased college enrollments for the next decade, and to develop data relating the demand for higher education in Pennsylvania to the types of instruction required, geographic location of students and institutions, and financial ability of families to underwrite the costs of higher education;

(2) To determine the extent to which various quality standards would modify the predicted enrollment increases;

(3) To determine the preferences, abilities, and performance characteristics of the college-age population and the types of institutions which will best meet the demands for post-high school training of students of varying characteristics;

(4) To ascertain the advantages and disadvantages associated with different methods of providing post-high school opportunities including, but not limited to, expansion of State-owned institutions, expansion of State-aided institutions, and full cost scholarships applicable at all accredited institutions;

(5) To evaluate present levels of efficiency, including both staff and plant utilization, and to develop organizational and operational patterns that will provide incentives to insure optional personnel and plant performance;

(6) To investigate the fiscal potential of State and local governments and private individuals and organizations to provide additional support for higher education; and

(7) To investigate alternative sources of revenue available to the State Government to provide additional support for higher education; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations together with drafts of any legislation deemed necessary to carry its recommendations into effect.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

An Act authorizing the Department of Property and Supplies to sell and convey 10.0478 acres more or less of land situate in East Allen Township Northampton County Pennsylvania with the approval of the Governor.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

RECALLING HOUSE BILL NO. 2264 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 11, 1959.

Resolved (if the Senate concur), that House Bill No. 2264, Printer's No. 1337, entitled "An act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 2266 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 11, 1959.

Resolved (if the Senate concur) that House Bill No. 2266, Printer's No. 1366, entitled "An act amending the act of June 2, 1891 (P. L. 176) entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' changing the inspection period imposing certain duties on mine inspectors, mine superintendents and foremen, requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE APPOINTED

Mr. McCANN. Mr. Speaker, earlier this afternoon in the operation of the House, House Bill 2388, Printer's No. 1956, was defeated, and following that the Minority Leader spoke and requested a committee be appointed to meet immediately and work on this problem of trying to amend or find the necessary answers in regard to this proposed legislation.

At this time I appoint a committee of six Members that have been agreed to: Messrs. Comer, Gailey, Fineman, Austin M. Lee, Bell and Auker.

I am asking that committee, through Mr. Lee and Mr. Comer, the Chairman and vice-chairman, set a scheduled time for Monday to meet and go over this important piece of legislation and come up with the necessary types of amendments that they believe will make it workable and agreeable.

BILL PASSED OVER

There being no objection, all bills remaining on today's calendar not considered were passed over at the request of Mr. McCANN.

REPORTS FROM COMMITTEE

Mr. LUTTY from the Committee on State Government, reported as amended House Bill No. 2256, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Mr. RENWICK from the Committee on State Government, reported as amended, House Bill No. 2257, entitled:

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Mr. PRICE from the Committee on State Government, reported as amended, House Bill No. 2258, entitled:

An Act amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2449, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Common-

wealth of Pennsylvania increasing the borrowing capacity of school districts, in order to reduce costs involved in financing through municipal authorities.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2449, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts, in order to reduce costs involved in financing through municipal authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. GELFAND asked and obtained unanimous consent to address the House.

Mr. Speaker, yesterday in some heated remarks, I said on the floor of the House that if we had a full working day today I would publicly apologize to the Majority Leader for anything I may have said that appeared to be intemperate.

Inasmuch as we have had a full working day, I think it is due him that I publicly apologize, and I so do at this time.

Mr. McCANN. Mr. Speaker, no apology was necessary and I certainly thank the gentleman, because many times in heated discussions I also have been rather rough in some of my tactics, but sometimes the pressure is pretty hard. In the end we finally find a way to agree.

Mr. Speaker, the only thing I would like to say is that the starting schedule of the House on Monday will be 3:30, Standard Time, instead of the normal 4:30. All the Members please bear this in mind, and five days next week.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY.

RESOLUTION No. 129.

In the House of Representatives, November 12, 1959.

Resolved, That Rule No. 76 of the House of Representatives is hereby amended to read as follows:

RULE 76

House Bills Amended by the Senate

When a House bill or joint resolution has been amended by the Senate and returned to the House for concurrence, or when a motion is made that the House recede from its nonconcurrence in amendments made by the Senate to a House bill, or that the House recede from its amendments made to a Senate bill, the bill shall not be considered until placed on the calendar and copies thereof are on the desks of the Members.

When acting on bills on joint resolutions amended by the Senate, the amendments shall be read and the question put, on the concurrence in the amendments.

A majority vote of the Members elected to the House, taken by yeas and nays, shall be required to concur in amendments made by the Senate; except for appropriations to charitable and educational institutions not under the absolute control of the Commonwealth, where a vote of two-thirds of all the Members elected to the House shall be required to concur.

Referred to the Committee on Rules.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, the Democratic caucus on Monday will be held at 2:30. The House will convene at 3:30.

The SPEAKER pro tempore. The Chair would suggest that that message be conveyed in some other manner by the appearance of the Democratic membership.

Mr. McCANN. Mr. Speaker, I am going to ask that the Chief Clerk of the House of Representatives send out a notice which will state in the notice for both parties that the House will convene at 3:30 Standard Time. That the House Party is scheduled for 5:00 o'clock and whatever other items the Minority Leader may want to put in his notice.

The SPEAKER pro tempore. The Chief Clerk will so notify the membership.

Mr. A. W. JOHNSON. Mr. Speaker, we would appreciate it if in the notice you would incorporate the time that the House Republican caucus will be held at 2:00 o'clock, as usual. There are quite a number of bills on the calendar I notice, and we will need an hour and a half to caucus on Monday.

ADJOURNMENT

Mr. ROVANSEK. Mr. Speaker, I move that this House do now adjourn until Monday, November 16, 1959 at 3:30 p. m. EST.

The motion was agreed to, and (at 3:45 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, NOVEMBER 16, 1959.

No. 111.

SENATE

MONDAY, November 16, 1959.

The Senate met at 2:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. MELVIN WALPER, Pastor of Zion's Reformed Church, Ashland, offered the following prayer:

Great and gracious God, Tho Who art our Father and our Friend, we thank Thee for the rich heritage bequeathed to us by our forefathers. We praise Thee for all the blessings we enjoy in our land of freedom, and we yearn for the day when these blessings shall be the treasured possession of all Thy children, even unto the ends of the earth.

We ask Thee to be with this Senate in its deliberations. Make each Member thereof conscious that they are not only servants of men, but servants of Thee, their God, and their Heavenly Father. Aware of Thy divine presence in their midst, may their minds be guided by Thy wisdom and their hearts be ruled by Thy love. Deliver them from all selfishness, self-seeking and self-centeredness by a knowledge that injustices in the farthest corner of our Commonwealth, or in the farthest corner of our world, bring a burden to every single child of Thine, even as blessings in the farthest corner of our Commonwealth or the farthest corner of our world bring a blessing to every child of Thine. Remove them from all prejudice that they can see the image of Thee, our God, in the least, the last and the lowliest creature of earth. Through the still small voice, speak to them the words of Jesus, "Whatsoever ye do unto one of My children, even unto the least, ye do unto Me."

To all who are absent this day because of sorrow, do Thou send to them the Holy Spirit, the Comforter. To all who are absent because of illness, be Tho the great Physician of body and spirit. To all who are absent because of indifference, lay upon their minds and their hearts their responsibility to their Commonwealth, to their constituency and to Thee, their God.

We ask these things in the Name of Jesus, Thy Son and our Savior, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF SENATE CONCURRENT RESOLUTION, RECALLING FROM THE GOVERNOR SENATE BILL No. 304

November 12, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 304, Printer's No. 329, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

The PRESIDENT. The bill will be laid on the table.

He also presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 747, 748, 750, 751 and 839.

November 12, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 747, Printer's No. 838, entitled "An Act amending the act of April 29, 1959 (Act No. 32), entitled 'The Vehicle Code' prohibiting the operation of such vehicles on highways when occupied by passengers and fixing penalties."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 748, Printer's No. 839, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' providing a special handling permit for pickup of mobilehomes and office trailers from jobbers and dealers."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 750, Printer's No.

1071, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' fixing the annual registration fee for MOBILE HOMES, house trailers and office trailers.

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 751, Printer's No. 1326, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' exempting certain trailers from lighting requirements."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 839, Printer's No. 974, entitled "An Act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' further regulating the use of blue warning lights by volunteer firemen and members of hose companies."

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILL No. 24 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and township, for their road, street and bridge purposes; . . . continuing a conditional appropriation beyond the calendar year of 1959.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 227 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 227, entitled:

An Act amending the act of July 12, 1919 (P. L. 941), entitled "An act providing for the preparation, contents, style, printing and binding of Legislative Journal and its delivery and distribution; . . ." changing provisions relating to the contents of the Legislative Journal.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 983 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 80), entitled "Public School Code of 1949," providing permanent certification for certain persons teaching in private institutions.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1093 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers, restrictions, limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1179 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569), entitled "Korean Conflict Veterans' Compensation Act," deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1182 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1213, RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1213, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), further regulating the payment of costs for the care of patients, and limiting liability for such payment.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 623, entitled:

An Act amending "The Penal Code," approved June 24, 1959 (P. L. 872), prescribing penalties for using obscene or offensive language over telephones, or repeatedly by telephone annoying, molesting or harassing another.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 2264

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, November 11, 1959.

Resolved (if the Senate concur), That House Bill No. 2264, Printer's No. 1337, entitled:

An Act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps, plans and drawings submitted to it.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 2266

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, November 11, 1959.

Resolved (if the Senate concur), That House Bill No. 2266, Printer's No. 1366, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports.

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 10

He also returned to the Senate, Senate Bill No. 10, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 22

He also returned to the Senate, Senate Bill No. 22, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing payments to joint school boards and joint school committees by the Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 74

He also returned to the Senate, Senate Bill No. 74, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 132

He also returned to the Senate, Senate Bill No. 132, entitled:

An Act authorizing the Department of Public Welfare, with the approval of the Board of Trustees of the Hollidaysburg State Hospital, to contract with the Borough of Hollidaysburg and the Hollidaysburg Sewer Authority for improvements and extensions to the sewerage collection system and treatment plant and the use thereof by the Hollidaysburg State Hospital, and the payment of part of the cost and maintenance thereafter, and making an appropriation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 216

He also returned to the Senate, Senate Bill No. 216, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the creation of capital reserve funds, regulating the use of such funds and authorizing the levying of taxes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 297

He also returned to the Senate, Senate Bill No. 297, entitled:

An Act repealing section 650, act of June 24, 1939 (P. L. 872), entitled "The Penal Code," relating to pawnbrokers dealing with minors.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 654

He also returned to the Senate, Senate Bill No. 654, entitled:

A Joint resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania, permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 661

He also returned to the Senate, Senate Bill No. 661, entitled:

An Act amending the act of May 24, 1945 (P. L. 991), entitled "Urban Redevelopment Law," authorizing the relocation of businesses and families and limiting powers of eminent domain.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 662

He also returned to the Senate, Senate Bill No. 662, entitled:

An Act amending the act of May 24, 1945 (P. L. 982), entitled, as amended, "Redevelopment Cooperation Law," redefining "State Public Body" to include school districts and other political subdivisions and authorizing cooperation in relocation activities.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 827

He also returned to the Senate, Senate Bill No. 827, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended "The Liquid Fuels Tax Act," providing for payment of certain county treasurers' fees out of the county Liquid Fuels Tax Fund in counties of the seventh and eighth classes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 853

He also returned to the Senate, Senate Bill No. 853, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting any mortgagee or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company, agent or broker.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 873

He also returned to the Senate, Senate Bill No. 873, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," limiting the time within which tax assessments may be made.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 899

He also returned to the Senate, Senate Bill No. 899, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the date on which the authority collecting or receiving school taxes shall file annual reports.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 925

He also returned to the Senate, Senate Bill No. 925, entitled:

An Act amending the act of June 8, 1923 (P. L. 685), entitled "An act prescribing the fees for the office of Secretary of the Commonwealth," regulating the fees to be charged and collected.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 933

He also returned to the Senate, Senate Bill No. 933, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951," permitting applications for admission to be made by certain persons; providing for the contents of physician's certificate; and extending the period of time during which certain persons may be restrained.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1000

He also returned to the Senate, Senate Bill No. 1000, entitled:

An Act amending the act of April 9, 1929 (P. L. 343), entitled "The Fiscal Code," changing penalty provisions for failure to file reports on time.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1015

He also returned to the Senate, Senate Bill No. 1015, entitled:

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and sale procedure; imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes, and imposing certain costs.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1094

He also returned to the Senate, Senate Bill No. 1094, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in shares of business development credit corporations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1095

He also returned to the Senate, Senate Bill No. 1095, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in shares of business development credit corporations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1096

He also returned to the Senate, Senate Bill No. 1096, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in State and regional business development credit corporations.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1109

He also returned to the Senate, Senate Bill No. 1109, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," further providing for the use of certain words in the corporate name.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1121

He also returned to the Senate, Senate Bill No. 1121, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the composition of the return board.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1168

He also returned to the Senate, Senate Bill No. 1168, entitled:

To promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization, membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income there-

from and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1169

He also returned to the Senate, Senate Bill No. 1169, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1170

He also returned to the Senate, Senate Bill No. 1170, entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1171

He also returned to the Senate, Senate Bill No. 1171, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," permitting investment in notes and bonds of the Pennsylvania Housing Agency.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1172

He also returned to the Senate, Senate Bill No. 1172, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1181

He also returned to the Senate, Senate Bill No. 1181, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicles Code," further regulating the driving over fire hose and prescribing penalties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1226

He also returned to the Senate, Senate Bill No. 1226, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," providing for the election of the city treasurer.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 652, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

Which was committed to the Committee on Rules.

House Bill No. 1002, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905), providing additional enforcement procedures on traffic violations in boroughs, towns and townships.

Which was committed to the Committee on Rules.

House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

Which was committed to the Committee on Rules.

House Bill No. 1479, entitled:

An Act amending the act of July 18, 1917 (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; * * *" providing for the payment of expenses related to investment from interest earnings on the fund.

Which was committed to the Committee on Rules.

House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts.

Which was committed to the Committee on Rules.

House Bill No. 2063, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift, on behalf of the Pennsylvania Historical and Museum Commission, the historic property known as the Tuscarora Academy.

Which was committed to the Committee on Rules.

House Bill No. 2098, entitled:

An Act amending the "Unfair Cigarette Sales Act," approved May 20, 1949 (P. L. 1584) making technical changes therein.

Which was committed to the Committee on Rules.

House Bill No. 2150, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

Which was committed to the Committee on Rules.

House Bill No. 2334, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) excluding the sale of certain items in resort communities from prohibitions against Sunday sales.

Which was committed to the Committee on Rules.

House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), changing definition of final average salary for classroom teachers with thirty-five or more years of service.

Which was committed to the Committee on Rules.

House Bill No. 2397, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing homebound instruction for children confined in detention homes.

Which was committed to the Committee on Rules.

House Bill No. 2404, entitled:

An Act repealing Section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes," abolishing certain requirements.

Which was committed to the Committee on Rules.

House Bill No. 2411, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), requiring only the part of any property owned by an exempt organization that is used for non-exempt purposes to be valued, and exempting concert music halls maintained by public or private charities from taxation.

Which was committed to the Committee on Rules.

House Bill No. 2413, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

Which was committed to the Committee on Rules.

House Bill No. 2422, entitled:

An Act amending the "Uniform Commercial Code," approved April 6, 1953 (P. L. 3), correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

Which was committed to the Committee on Rules.

House Bill No. 2425, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), providing for the purchase of credit for service in summer schools prior to membership in the retirement system, changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

Which was committed to the Committee on Rules.

House Bill No. 2428, entitled:

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242), authorizing adoption of a system for qualification of competent and responsible bidders on highway projects.

Which was committed to the Committee on Rules.

House Bill No. 2430, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), redefining documents to exclude certain repossession following defaults in purchase obligations.

Which was committed to the Committee on Rules.

House Bill No. 2431, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

Which was committed to the Committee on Rules.

House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, * * * certain state officers, and the salary and expenses of the members of the General Assembly, * * *," changing time for payment of certain portions of salary and expenses.

Which was committed to the Committee on Rules.

House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and Judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and juvenile Court of Allegheny County, * * *," changing the compensation of members of the General Assembly.

Which was committed to the Committee on Rules.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 660

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and imposing the tax upon the gross receipts of gas companies.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 660

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1592

He also informed the Senate that the House has non-

concurred in the amendments made by the Senate to House Bill No. 1592, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), increasing the fee for the renewal of an operator's license.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1592

Mr. BERGER. Mr. President, I move that the Senate insists upon its amendments non-concurred in by the House to the foregoing bill.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 2361

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 2361, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), making technical changes and clarifying language.

The PRESIDENT. The bill will be laid on the table.

HOUSE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE SENATE TO SENATE BILL No. 379

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN THE AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 379

Mr. BERGER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 379, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 2218, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

and has appointed Mr. POLEN, Mrs. REIBMAN and Mr. TOMPKINS as a Committee of Conference to confer with

a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2268

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2268, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 2268, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas; imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries; and providing penalties.

and has appointed Messrs. MUSTO, MEHOLCHICK and JUMP as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2268

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2268, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 2319, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 2319, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the sale of borough owned electric light plants and the effect thereof.

and has appointed Messrs. FILO, DEVLIN and DONALDSON as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 2319

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2319, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

House Bill No. 1117, Printer's No. 369.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUDGE OF THE COURT OF COMMON PLEAS OF THE FIFTEENTH JUDICIAL DISTRICT OF PENNSYLVANIA

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel Lichtenfeld, Crestline Road, Strafford, Wayne, Chester County, for appointment as Judge of the Court of Common Pleas of the Fifteenth Judicial District of Pennsylvania, composed of the County of Chester, until the first Monday of January 1962, vice Hon. Ernest Harvey, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS OF THE TWENTY-FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Paul, 201 Pike Street, Port Carbon, Schuylkill County, for appointment as Judge of the Court of Common Pleas of the Twenty-first Judicial District of Pennsylvania, composed of the County of Schuylkill, until the first Monday of January 1962, vice Hon. Cyrus M. Palmer, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

June 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Coaldale State Hospital, from June 21, 1957, for the term of four years, and until their successors are appointed and qualified:

Mrs. Helen Dougherty, Jim Thorpe, Carbon County.

Charles McFadden, Summit Hill, Carbon County.
 Frank H. Evans, Nesquehoning, Carbon County.
 Also, the following:
 Mrs. Anna C. Kadak, Lansford, Carbon County, from

October 22, 1957, for the term of four years, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE COUNCIL OF EDUCATION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Council of Education, from June 21, 1957, for a term of six years, and until their successors shall have been appointed and qualified:

O. H. English, Superintendent, Abington Township Schools, Abington, Montgomery County.

James H. Duckrey, President, Cheyney State Teachers' College, Cheyney, Delaware County.

DAVID L. LAWRENCE.

MEMBER OF THE BUSHY RUN BATTLEFIELD COMMISSION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Otterson, Level Green, R. D. 1, Trafford, Westmoreland County, for appointment as a member of the Bushy Run Battlefield Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Hon. Earl S. Keim, Youngwood, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William D. Gould, 1154 Reynolds Avenue, Taylor, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Taylor, Lackawanna County, to serve until the first Monday of January 1960, vice Stephen A. Mraz, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Frank R. Katrinak, 514-A South Sixth Street, Reading, Berks County.

Mrs. Susan F. Herbine, 326 North Fifth Street, Reading, Berks County.

Robert H. Gerhart, Jr., R. D. 1, Robesonia, Berks County.

Also, the following for appointment until the third Tuesday of January 1965, and until his successor is appointed and qualified:

Al Iezzi, 3233 Stoudts Ferry Bridge Road, River View

Park, Laureldale, Berks County, vice Paul A. Flickinger, Reading, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald C. Wilson, President, Hellam Township School Board, R. D. 1, Hellam, York County, for appointment as a member of the Advisory Committee to State Council of Education, until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank G. Brinig (Democrat), 447 Glenwood Boulevard, Erie, Erie County, for appointment as a member of the Advisory Board on Problems of Older Workers, for the term of four years or until his successor is appointed and qualified, vice Everett F. Zurn, Erie.

DAVID L. LAWRENCE.

MEMBER OF THE FULTON COUNTY BOARD OF ASSISTANCE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Gladys Yeakel (Republican), McConnellsburg, Fulton County, for appointment as a member of the Fulton County Board of Assistance, until December 31, 1960, and until her successor is duly appointed and qualified, vice Rev. Ernest W. Brindle, McConnellsburg, resigned.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 2394, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing the provisions relating to the reading of the Bible in public schools.

Mr. KELLER, from the Committee on State Government, re-reported as committed, House Bill No. 117, entitled:

An Act amending the "State Employees' Retirement Law" of June 27, 1923 (P. L. 858), defining employees of redevelopment authorities as State employees.

He also from the Committee on State Government, reported as committed House Bill No. 253, entitled:

An Act providing for the payment of the salary, medical and hospital expenses of employees of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

He also from the Committee on State Government, reported as amended, House Bill No. 1474, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" further expanding the investment powers of State administrative departments boards commissions and officers to purchase certain interest-bearing obligations preferred and common stock.

BILL INTRODUCED AND REFERRED

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244), entitled "Local Government Commission Law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

Which was committed to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. FLACK, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

NOMINATIONS TAKEN FROM TABLE

Mr. FLEMING. Mr. President, I call from the table the nomination of Samuel Lichtenfeld for appointment as Judge of the Court of Common Pleas of the Fifteenth Judicial District.

The nomination was read by the Clerk as follows:

JUDGE OF THE COURT OF COMMON PLEAS OF THE FIFTEENTH JUDICIAL DISTRICT OF PENNSYLVANIA

October 21, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel Lichtenfeld, Crestline Road, Strafford, Wayne, Chester County, for appointment as Judge of the Court of Common Pleas of the Fifteenth Judicial District of Pennsylvania, composed of the County of Chester, until the first Monday of January 1962, vice Hon. Ernest Harvey, resigned.

DAVID L. LAWRENCE.

Mr. FLEMING. Mr. President, I now yield the floor to my colleague, Senator Harney.

Mr. HARNEY. Mr. President, I rise, on a question of personal privilege, to speak on the nomination by the Governor for a Judge in Chester County to replace Judge Ernest Harvey, who resigned, effective September 1, 1959.

Since 1888, when a second Common Pleas Court Judge was authorized by legislation, we have had one distinguished and capable representative of each political party on the Common Pleas Bench.

The Chester County Bar Association took action in the present situation and submitted several names of qualified attorneys to the Governor. The Governor ignored these suggestions and nominated Samuel Lichtenfeld, Es-

quire, who has been the Chester County Democratic Chairman for some years.

Mr. PRESIDENT, I respect the right of the Governor to make such a choice, but he will also have to accept the responsibility for so doing, as I am fully convinced the voters of both parties in our county, in 1961, will register their strong disapproval of this action.

With this statement on the record, I now move that the Senate do advise and consent to the nomination of Samuel Lichtenfeld as Judge of the Court of Common Pleas of Chester County, solely in accordance with the Governor's action.

Mr. FLEMING. Mr. President, I second the motion made by the gentleman from Chester, Senator Harney.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I believe that the gentleman from Chester would not want his statement to go on the record unless it was a complete one and unless it took cognizance of the entire picture as it exists in this problem.

As everyone well knows—and this is true of the present gentleman who is the Governor, Governor Lawrence, or any of the previous Governors who happened to be of a different political faith than I—I do not believe that any man runs for office and is elected to that office to merely sit by and be advised by people who had nothing to do with either having him elected or taking any part in making the policy, and who just came forward one day when they saw fit and named certain people.

The fact that a Bar Association presents a name to a Governor is only a means or a guide to the gentleman who has to make the final decision. I think it would not be amiss to point out to the gentlemen in this Chamber, some of whom are lawyers, that they should recognize the fact that when you get more than one person together, you have politics operating of one kind or another. In the Bar Association, as in the American Medical Association and many other associations, politics rears its ugly head. Whether it is good or bad, I cannot say. I think, however, sometimes it does serve a good purpose.

However, they present these different names of these different people. That does not make these people chosen by the Lord nor does it give these people any special qualities. They are merely saying that in the best opinion of the association, Mr. So-and-So is the best person. I think the Governor, whomever he might be, sitting in the Executive Branch of the Government, has a better opportunity to survey the entire situation. I also think that with him rests the responsibility of making the appointment, and with no one else, once he has searched his conscience and has had an opportunity to look over all these lists and pick Mr. X or Mr. Y or Mr. Z. It may be an appointment which I personally approve or disapprove. However, I think basically the suggestion is his. I think the appointment is his and whatever responsibilities go with that are completely his alone.

Mr. President, I do not want to recount past history, but, unfortunately, a man who was chosen by the past Governor, Governor Leader, from Montgomery County, to serve as a Judge, Judge Morris Gerber, was not only approved by the Bar Association by an overwhelming amount of votes, but he was also found by many voters

to be a very fine man and one who had practiced law for many years. For some reason best known to themselves, the people of Montgomery County, and the lawyers as well, chose not to observe the sitting judge principle. As a result, Morris Gerber was voted out of office. According to the Bar Association and other people living in the county, who had some say about it, Morris Gerber had been found, over a period of time, to be absolutely equipped for the office and probably the most capable man to fill it. Instead, they elected some other person who never had any judicial experience. I do not know whether he will make a good Judge or not. I am not here to judge that. However, they overwhelmingly elected this other person because the organization there was strong and was able, therefore, to put their man across. I suspect the same thing will be true in Chester County where the Republican Party—and I think I am not divulging any confidence—is in complete control of the situation in that county. I do not think that this should cast any kind of a reflection on the nominee by Governor or the fact that we are confirming this gentleman.

The best we can say is that as long as we do not have any special plan where judges are chosen by any special group or given any kind of an examination or found to be any special type of person, I think we can only rely on the method we are now using, which is by the Governor appointing them.

I think that the only question which should be before the people is not whether this man is a good political appointment or not, but whether he is a good Judge, whether he is serving the people and whether he is meeting their needs and requirements in that particular community. If that question is answered in the affirmative, they should vote for him. If that question is answered in the negative, they should vote against him, regardless of who it might be. I think that is the only question before us at any time. All that we do here in this Senate is agree or disagree with the Governor. I think if we disagree with him, we should, at least, give our reasons why.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM TABLE

Mr. FLEMING. Mr. President, I now call from the table the remaining nominations which were reported from the

Committee on Executive Nominations at today's session. The nominations were read by the Clerk as follows:

JUDGE OF THE COURT OF COMMON PLEAS OF THE TWENTY-FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harold L. Paul, 201 Pike Street, Port Carbon, Schuylkill County, for appointment as Judge of the Court of Common Pleas of the Twenty-first Judicial District of Pennsylvania, composed of the County of Schuylkill, until the first Monday of January 1962, vice Hon. Cyrus M. Palmer, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF COALDALE STATE HOSPITAL

June 23, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Coaldale State Hospital, from June 21, 1957, for the term of four years, and until their successors are appointed and qualified:

Mrs. Helen Dougherty, Jim Thorpe, Carbon County.

Charles McFadden, Summit Hill, Carbon County.

Frank H. Evans, Nesquehoning, Carbon County.

Also, the following:

Mr. Anna C. Kadak, Lansford, Carbon County, from October 22, 1957, for the term of four years, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE COUNCIL OF EDUCATION

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Council of Education, from June 21, 1957, for a term of six years, and until successors shall have been appointed and qualified:

O. H. English, Superintendent, Abington Township Schools, Abington, Montgomery County.

James H. Duckrey, President, Cheyney State Teachers' College, Cheyney, Delaware County.

DAVID L. LAWRENCE.

MEMBER OF THE BUSHY RUN BATTLEFIELD COMMISSION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James C. Otterson, Level Green, R. D. 1, Trafford, Westmoreland County, for appointment as a member of the Bushy Run Battlefield Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Hon. Earl S. Weim, Youngwood, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William D. Gould, 1154 Reynolds Avenue, Taylor, Lackawanna County, for appointment as Justice of the Peace in and for the Borough of Taylor, Lackawanna County, to serve until the first Monday of January 1960, vice Stephen A. Mraz, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

Frank R. Kathrinak, 514-A South Sixth Street, Reading, Berks County.

Mrs. Susan F. Herbine, 326 North Fifth Street, Reading, Berks County.

Robert H. Gerhart, Jr., R. D. 1, Robesonia, Berks County.

Also, the following for appointment until the third Tuesday of January 1965, and until his successor is appointed and qualified:

Al Iezzi, 3233 Stoudts Ferry Bridge Road, River View Park, Laureldale, Berks County, vice Paul A. Flickinger, Reading, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF ADVISORY COMMITTEE TO STATE
COUNCIL OF EDUCATION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Donald C. Wilson, President, Hellam Township School Board, R. D. 1, Hellam, York County, for appointment as a member of the Advisory Committee to State Council of Education, until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE ADVISORY BOARD ON PROBLEMS
OF OLDER WORKERS

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank G. Brinig (Democrat), 445 Glenwood Boulevard, Erie, Erie County, for appointment as a member of the Advisory Board on Problems of Older Workers, for the term of four years or until his successor is appointed and qualified, vice Everett F. Zurn, Erie.

DAVID L. LAWRENCE.

MEMBER OF THE FULTON COUNTY BOARD OF
ASSISTANCE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss

Gladys Yeakel (Republican), McConnellsburg, Fulton County, for appointment as a member of the Fulton County Board of Assistance, until December 31, 1960, and until her successor is duly appointed and qualified, vice Rev. Ernest W. Brindle, McConnellsburg, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WADE, That the Senate do advise and consent to said nominations. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE
THE DEPARTMENT OF PUBLIC WELFARE,
PURSUANT TO SENATE RESOLUTION SERIAL No. 18,
TAKEN FROM THE TABLE

Mr. PECHAN. Mr. President, on October 20, 1959, I presented to the Senate the Report of the Sepecial Committee to Investigate the Department of Public Welfare, and the report was laid on the table.

I now call up that report and ask that it be made a part of the official record.

The PRESIDENT. The report will be made a part of the official record.

COMMITTEE OF CONFERENCE APPOINTED
ON SENATE BILL No. 379

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WOLFE, WALKER and MAHADY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 379.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED
On HOUSE BILL No. 2218

The PRESIDENT. The Chair announces, on behalf of

the President pro tempore, the appointment of Messrs. FLEMING, PROPERT and ROONEY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 2218.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 2268

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KOPRIVER, JR., FLACK and MURRAY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 2268.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 2319

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. VAN SANT, EHRCOOD and LANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 2319.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. WAGNER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WAGNER, from the Committee on Education, reported as amended, House Bill No. 1094, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and changing the membership of the State Board of Medical Education and Licensure.

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER, from the Committee on Rules, reported as committed, Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission Law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

SENATE RESOLUTIONS

DIRECTING THE JOINT STATE GOVERNMENT COM- MISSION TO STUDY ENACTMENT OF LEGISLATION REGARDING THE SOLICITING OF MONEY FOR ELECTION PURPOSES

Mr. WHALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WHALLEY, KROMER, KESSLER and WALKER offered the following resolution (Serial No. 81), which was read and referred to the Committee on Rules:

In the Senate, November 16, 1959.

Large amounts of money are consistently being solicited by various means in order to aid and support individuals seeking election to various offices, both State and local throughout this Commonwealth.

The amount of money spent for this purpose in recent years has in many cases far exceeded a reasonable and acceptable sum considering the office in contest and the normal incidents and attributes thereof.

While it has always been necessary to expend money in order to adequately campaign for an elective office, unusually large amounts spent for such purposes can only lead to waste, corruption and ultimately bad government. It is, therefore, felt by many experienced people who have observed their tendency to expend unusually large sums for this purpose that some type of reasonable limitations be imposed to curtail this practice; therefore be it

Resolved, That the Joint State Government Commission be directed to investigate and study the feasibility of enacting legislation relative to this subject; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, together with drafts of legislation to carry its recommendations into effect.

DIRECTING THE JOINT STATE GOVERNMENT COM- MISSION TO STUDY THE LIBRARY SYSTEM

Mr. WATKINS. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WATKINS, HARNEY and VAN SANT offered the following resolution (Serial No. 82), which was read as follows:

In the Senate, November 16, 1959.

The free public libraries of the Commonwealth have been a major source of information, knowledge, and educational opportunities for all of its citizens.

Beginning with the provincial assemblies, the Legislature has recognized the importance of the public library. The State library was, for many years, under the direct supervision of the General Assembly. Current statutes provide for the participation by governmental agencies in the financing and operation of libraries at the local and State levels.

The public library is a major adjunct to education—both formal and informal. It can be utilized by all. It is imperative that the libraries, both State and local, private and public, be encouraged to develop personnel practices, informational services, and educational opportunities compatible with the needs and desires of the local community and the Commonwealth as a whole; therefore be it

Resolved, That, in order to develop the necessary factual information regarding coordination of library services, methods of achieving efficient administration of existing library resources, and the current availability of library services throughout the Commonwealth, the Joint State Government Commission be directed to study the library system, taking into consideration the statutory law, administrative practices, and financial matters relating to its organization and structure, and report its findings and recommendations to the General Assembly.

Mr. WEINER. Mr. President, I have no objection to this resolution going to the Rules Committee. However, I would like to point out to the Members of this Body that we have already had a study made of the public

library setup in the Commonwealth of Pennsylvania. I believe a Mr. Greenfield, of Philadelphia, was one of the chairmen on the commission, along with other prominent citizens of this State. If the study does not fulfill the need that is contemplated by this resolution, I would suggest that the areas that have not been covered by the report be pointed out to the commission. They are already in session, and they have already been through this. Perhaps they can, in a very short time, take up this problem and solve it, rather than have another commission appointed or another study group appointed.

I would respectfully ask that the Rules Committee take this into consideration and that the Members of the Senate take this into consideration before they take any action on this resolution.

Mr. BERGER. Mr. President, I am sure that the Rules Committee will take into consideration any prior studies that have been made on this subject, one of which, I understand, was started by the Joint State Government Commission some twelve years ago. This resolution intends that the Joint State Government Commission may complete and co-ordinate their study with that already made by the Library Commission. I am sure that both of them will complement each other.

The PRESIDENT. This resolution is referred to the Committee on Rules.

SENATE RESOLUTION

CONGRATULATING SENATOR JOSEPH M. BARR ON BEING ELECTED MAYOR OF PITTSBURGH

Messrs. McGINNIS, FLEMING, BERGER, WEINER, SARRAF and RIPP offered the following resolution, which was read, considered and agreed to:

In the Senate, November 16, 1959.

Joseph M. Barr is the new Mayor of Pittsburgh.

Since he was elected to the Senate in 1941, he has been a friend to all his colleagues who often requested his advice. The officers of the Senate have always held him in high esteem for his sound decisions.

Senator Barr's background of legislative service, coupled with his extraordinary ability will both serve in Pittsburgh's growth and redevelopment. The people of that great city could not have selected a better man to chart the course of their governmental affairs; therefore be it

Resolved, That the Senate congratulate Senator Joseph M. Barr on being elected Mayor of Pittsburgh and wish him every success in his new position; and be it further

Resolved, That a copy of this resolution be sent to Senator Joseph M. Barr.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR, OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1572, Printer's No. 1825, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1822, Printer's No. 1806, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 644, Printer's No. 1533, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 810

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 810.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 882, entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 882

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 882.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 911, entitled:

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 911

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 911.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliot, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh Pennsylvania.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliot, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliot, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President, I think, perhaps in the history of my time in this body, I have never voted in opposition to an appropriation bill for education, and this statement hurts a little. The fact that I find myself voting "no" on this particular bill is no reflection upon the Dickinson School of Law. I know, as you do, many of its graduates. If I wanted and needed a very good lawyer, I would go to that school I think for my legal advice.

This bill has very good sponsorship. However, there are more nonsectarian institutions of higher learning than this particular one. It seems to me, before we open the door in this manner, we should set up some criteria as a basis for giving money to other nonsectarian institutions. It is on that basis that I am going to vote "no" on this bill.

I now yield to the Senator from York, Mr. Seyler.

Mr. SEYLER. Mr. President, I want to Join Senator Hays in his position. It seems to me that in taking this step, we are making a decision which is going to open the way for this Commonwealth to take on a large, added burden. I will not discuss the merits of whether this is a burden we should take on. I certainly do not wish any of my remarks to be interpreted to cast any reflection on the job which is done by the Dickinson Law School.

However, here we are departing from our previous policy, which was to support four institutions of higher learning. We are opening the way, it seems to me, by this and by one other bill on this Calendar, to extending support to every nonsectarian institution of higher learning in Pennsylvania. If this is to be the policy of the Commonwealth of Pennsylvania, then I think we should have some more objective manner for arriving at that decision. I also think, before we take a step like this, that we should give this a great deal more thought.

I have not heard any arguments which justified, to my mind, selecting these particular institutions to be the ones to break the line on additional support of higher education by the Commonwealth.

We hear a great deal of criticism of this Legislature for further pledging the wealth and the support of the Commonwealth to our institutions of public education. Here we are going beyond that. We are going into a field which, up to the present time, has not been considered to be a first responsibility of the Commonwealth.

If this were to establish scholarships so that people going into higher education who are needy and are able to profit by this instruction could use them at schools of their own choice, it seems to me we would be making a decision which while it would be very important and would likewise be pledging the Commonwealth to a great deal of added expenditure, would be at least doing it in

a manner which would not involve the selecting of one or two institutions.

I think we could get up on this floor and make an argument for every institution of higher learning in this State as doing a fine job and as fulfilling a need in this Commonwealth. I have no doubt that the gentleman who is champing at the bit over there and impatiently waiting his turn will present a very fine argument for Dickinson Law School, and I will agree with his argument. However, I think there are men in this Chamber who could do this same job for every institution of higher learning in the Commonwealth.

This gives you a picture of what we are leading into when we make this step, and we are doing it in a piecemeal and not well considered manner, it seems to me, in just picking out two schools and deciding that this is the way we will break the line.

Who doubts that in another Session we will have every other institution of higher learning looking to the Commonwealth for support?

Therefore, Mr. President, I wish to join Senator Hays in his position. Although I think it is fruitless for me to urge Members to vote against this bill, because I am sure all of them have already made up their minds which way they are going to vote, I would impress upon them the importance of considering this not just as a vote for a school,—of course, it is a deserving school—but rather as a vote which will open the door for the Commonwealth of Pennsylvania to extend its financial support to every nonsectarian institution of higher learning in this Commonwealth.

Mr. EHRCOOD. Mr. President, you cannot argue against something when the person already agrees beforehand with your argument. Therefore, I will not go into that because, obviously, Senator Seyler and Senator Hays must recognize the need that exists at the Dickinson School of Law. It is not a matter that has been considered hastily because I am sure that concerning higher education, all colleges and universities involved in asking the State for money do not like to come into this Senate and ask for it because with it, naturally, comes the concomitant regulations and some controls.

However, may I say this? The Governor already has gone ahead by requesting an appropriation for Drexel Institute in breaking the line that the Senator has heretofore expressed. I might also point out that an appropriation for Carnegie Institute, which is Senate Bill No. 87, passed fifty to nothing, and the Senators did not vote against that new appropriation.

I believe that this bill is helping a fine institution which is in very difficult financial straits. I believe it is helping higher education, in which I know that the gentlemen on the other side, Senator Seyler and Senator Hays, are vitally interested. I think perhaps that you are just unaware of the full need that is being met here with this appropriation.

Mr. SEYLER. Mr. President, I am not going to debate with the gentleman because I agree that all of these institutions, in order to carry out the broader function which they would like to carry out, need help. However, I would like to set him straight on two matters. In the first place, Senator Hays and I do not intend to vote against Dickinson and in favor of Drexel. We feel that one is opening the door just as much as the other.

The second thing I would like to point out is that the

Carnegie Institute is not, Senator Ehrgood, the Carnegie Institute of Technology. It is not an institution of higher learning, as I understand it, but is a museum in Allegheny County. If I am wrong, I wish Senator Fleming, who is the co-sponsor of that bill, would so inform me.

I would ask Senator Fleming if it is not true that the Carnegie Institute, referred to in Senate Bill No. 87, does not refer to the Carnegie Institute of Technology. Is that not correct, Senator Fleming?

Mr. FLEMING. That is correct, Mr. President.

Mr. BERGER. Mr. President, I certainly will not prolong this at all. However, I might point out to the Members of the Senate, and to the gentlemen who just spoke on this subject, that to the best of my knowledge the Dickinson School of Law is the only law school presently existing in the Commonwealth that would be eligible to be added to the list of institutions to which we appropriate money. Of course, we appropriate to the University of Pennsylvania Law School and we appropriate to the University of Pittsburgh Law School because they, too, are nonsectarian and are part of the two great universities.

The Dickinson School of Law is not part of a university, but is a separate institution. It is to my knowledge—and I believe I am correct—the only nonsectarian law school to which we do not appropriate money.

Mr. LANE. Mr. President, I noticed that the appropriation is for \$250,000. I would like for someone to tell me whether they are appropriating this money as a lump sum or do they have a formula? If they have a formula, how much are they allocating for each particular student? I have heard the figures here which are needed, but no one has elaborated as to where they money is actually needed. Is it for capital construction or is it to assist law students in general? What are the figures on it? Perhaps Senator Ehrgood could tell us.

Mr. EHRGOOD. Mr. President, in answer to the question, it is, of course, a lump sum appropriation, the same as for all the schools. There is no difference between this, Temple University, Pennsylvania State University or any other school. Of course, I do not believe that Senator Lane would want to see a line by line budget. After all, that is exactly opposite of the policy, for instance, of the Administration on things like that.

Incidentally—and this is somewhat off the point—I do know that Senator Seyler and Senator Hays both voted for Drexel Institute. That was the first line which was broken.

Mr. SEYLER. Mr. President, I do not like to interrupt the gentleman, but his last statement is not true. The bill which would make an appropriation to Drexel Institute has not yet come before the Senate. It is now on the Calendar and I just previously announced that we do not consider the case as different. In both cases, you are adding additional institutions of higher learning to our present commitments. We consider this as breaking the line and we consider them both in the same category. If you do this for Dickinson, you should do it for Drexel. We can say that Drexel is the only nonsectarian school of its type in the Commonwealth, so let us do it for that purpose.

We hold this argument totally invalid and we do not intend to vote for an additinnal sum to Drexel.

Mr. MAHADY. Mr. President, before making an observation, I would like to ask the gentleman from Potter,

Senator Berger, one question in order to clarify my own thinking.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. MAHADY. Is not the Duquesne University Law School a separate, nonsectarian institution?

Mr. BERGER. I do not so understand. However, it may well be and, if so, I was in error.

Mr. MAHADY. At least, Mr. President, I was told that it was nonsectarian and separate from the university. That is why it has a completely nonsectarian board.

Mr. BERGER. Mr. President, I will admit my lack of knowledge on that question. I had assumed, possibly erroneously, that Duquesne University Law School was sectarian and a part of Duquesne University.

Mr. MAHADY. Mr. President, what I have to say at this time does not have to do with the merits of the bill, but rather the approach to the question.

We do not have a format by which schools become eligible for grants from the Commonwealth. My investigation—and I think it was fairly thorough—led me to people, telling me that the main idea of giving to the universities of Pennsylvania arose at the time of the depression. We wrote them a blank check for their deficits, and rightly so. During hard times, we gave to them the deficit that they had in order to keep them alive. We have departed from that formula. We now seem to have on formula whereby the amount which you get is based on the number of friends that you have in this group.

I am not speaking of Dickinson nor its needs. I am not speaking of any other college. I am talking about the formula as a whole. My brother, who is a practicing attorney, is a graduate of Dickinson Law School and one of the leaders in the raising of funds for it. However, I say again to you that Senator Hays had a very definite point when he asked, "What is the guide which makes a person eligible for a grant from the Commonwealth?" Does it depend on how many friends you have in the House and Senate? Does it depend on how well people think of you? If it is based on how well people think of you, then Dickinson deserves more money than any other school. It has given more people to the service of the Commonwealth in high places than any other single law school, regardless of its size. We might say, as Webster said, "It is a small place and there are those who love it." However, Mr. President, that is not the argument here today.

Senator Hays said, "Pause and reflect; look and see." What standard are you using? Is it a grab? Is it a giveaway? What does it depend upon? If you have a formula that applies to everyone we would like to see it. After all, we want no Taj Mahal approach to learning. Despite the some ten times increase to universities, what has been added to the sum total of better education since 1950? What are we getting out of it? What is your standard? Senator Hays said to you, and I repeat it, "If you have a standard, we would be only too glad to include Dickinson or anyone else under it." However, we ask you to please give us your standard for including any college which is nonsectarian in the Commonwealth.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Harney, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarraff, | Weiner, |
| Elliott, | McCreesh, | Scott, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Fleming, | McMenamin, | Silvert, | |

NAYS—3

| | | |
|-------|---------|---------|
| Hays, | Mahady, | Seyler, |
|-------|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion of a girls' dormitory.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraff, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraff, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraff, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1157, Printer's No. 1822, on third reading, go over in its order.

THE PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester Chester County for use of the West Chester State Teachers' College.

And said bill having been read at length the third time, and agreed to.

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

APPROPRIATION BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following appropriation bills, on third reading, go over in their order:

House Bill No. 1894, Printer's No. 943;

House Bill No. 2303, Printer's No. 1413;

House Bill No. 2304, Printer's No. 1414; and

House Bill No. 2313, Printer's No. 1523.

THE PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, on behalf of Senator Mallery and myself, I ask unanimous consent to offer amendments at this time.

THE PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last line of Title, by inserting after "Parole": "and employes of any State penal of correctional institution under the Bureau of Correction of the Department of Justice."; Amend Sec. 1 (Title), page 2, line 13, by striking out "and"; Amend Sec. 1 (Title), page 3, line 1, by inserting after "PAROLE": "and the employes of any State penal or correctional institution under the Bureau of Correction of the Department of Justice"; Amend Sec. 1 (Sec. 1), page 3, line 8, by striking out "and"; Amend Sec. 1 (Sec. 1), page 3, line 10, by inserting after "PAROLE": "and the employes of any State penal or correctional institutional under the Bureau of Correction of the Department of Justice"; Amend Sec. 1 (Sec. 1), page 3, line 19, by inserting after "OR": "the employes of any State or correctional institution under the Bureau of Correction of the Department of Justice or"; Amend Sec. 1 (Sec. 1), page 4, line 17, by striking out "AND"; Amend Sec. 1 (Sec. 1), page 4, line 19, by inserting after "PAROLE": "and employes of any State penal or correctional institution under the Bureau of Correction of the Department of Justice"; Amend Sec. 1 (Sec. 1), page 5, line 9, by inserting after "PAROLE": "or employe of any State penal or correctional institution under the Bureau of Correction of the Department of Justice"; Amend Sec. 1 (Sec. 1), page 6, line 7, by inserting after "PAROLE"; "and any payments required to be made on account of any employe of a State penal or correctional institution

under the Bureau of Correction of the Department of Justice shall be made from moneys appropriated to the Department of Justice."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 162, Printer's No. 1875, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 505, Printer's No. 1888;

House Bill No. 910, Printer's No. 1141; and

House Bill No. 954, Printer's No. 1364.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 990, Printer's No. 1559, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 991, Printer's No. 1816, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1017, Printer's No. 1560, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that Senate Bill No. 1036, on third reading, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania providing that each county city borough incorporated town and township shall have the exclusive power to provide for all matters relating to the wages and hours of its employees.

be recommitted to the Committee on Constitutional Changes and Federal Relations.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1121, Printer's No. 1205; and

House Bill No. 1122, Printer's No. 1235.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (Pamphlet Laws 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents income and the proceeds of the resale of such lands.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1189, entitled:

An Act directing the Secretary of Public Welfare to enter into a contract of lease providing for the operation and maintenance of the Scranton State Hospital by a non-profit corporation organized for that purpose providing for the terms of the lease including an option to purchase providing for the operation and maintenance of the hospital under the lease and making appropriations.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. KESSLER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1, page 2, line 18, by inserting after "year": "The lease or subsequent sale shall provide that if the lessee or purchaser shall cease to use the leased or sold premises for the purpose of operating a hospital, the lease shall terminate or the ownership of the premises shall revert to the Commonwealth."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that Senate Bill No. 1189, Printer's No. 1452, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 1195, Printer's No. 1268, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1201, Printer's No. 1480, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |

| | | | |
|---|--|---|---|
| DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|---|---|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1443, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--|---|--|--|
| Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kaltman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Rdpp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|--|---|--|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1614, Printer's No. 1863, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1637, on third reading, entitled:

An Act amending the act of July 13, 1953 (P. L. 447) entitled "Magistrates' Fee Bill of Cities of the First Class" by providing for additional costs upon summary conviction after warrant is issued in motor vehicle cases.

be recommitted to the Committee on Rules.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat and providing a penalty for the violation thereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 1016.1), page 2, line 12, by inserting after "Such": "collision or."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 1675, Printer's No. 1878, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. BERGER. Mr. President, I move that House Bill No. 1904, on third reading, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" defining the word "taxes" to include penalties and interest.

be recommitted to the Committee on Rules.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1997, Printer's No. 1880, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law" relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed and required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2120, Printer's No. 1400, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2175, Printer's No. 1557, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2292, entitled:

An Act requiring the marking of highways and inter-sections in the State highway system and imposing duties on the Department of Highways.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, first line of Title, by striking out "Requiring" and inserting: "Authorizing." Amend Title, page 1, last line of Title, by striking out "imposing duties" and inserting: "conferring powers." Amend Sec. 1, page 1, line 1, by striking out "shall" and inserting: "may."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2292, Printer's No. 1503 on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2363, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2377, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" further regulating the issuance of new hotel restaurant and club liquor licenses.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

| | | | |
|----------|-----------|----------|-----------|
| Berger, | Keller, | Propert, | Silvert, |
| Blass, | Lane, | Ripp, | Stiefel, |
| Camel, | Mahady, | Rooney, | Taylor, |
| Ehrgood, | McCreesh, | Ruth, | Van Sant, |

Harney,
Hays,
Kalman,

McGinnis,
Mullin,
Murray,

Sarra,
Scott,

Watkins,
Weiner,

NAYS—15

Chapman,
Elliott,
Flack,
Fleming,

Kessler,
Kromer,
Madigan,
Mallery,

Seyler,
Stevenson,
Wade,
Wagner,

Walker,
Whalley,
Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2382, Printer's No. 1864, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2389, entitled:

An Act amending the act of May 22, 1935 (P. L. 233), entitled "Policemen's Relief and Pension Fund Law," authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Fleming,
Flack,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarra,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2390, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof . . ."

authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarra,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe.

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2391, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarra,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2403, entitled:

An Act amending the act of May 27, 1957 (P. L. 203), entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County and to provide the necessary approaches and connections with the State highways empowering counties to pay certain damages" changing the location at which the bridge is to be erected.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliot, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

MEMBERS OF VALLEY FORGE COUNCIL OF REPUBLICAN WOMEN, CHESTER COUNTY, PRESENTED TO SENATE

Mr. HARNEY. Mr. President, it is my pleasure at this time to present to the Senate a group of ladies who are representing the Valley Forge Council of Republican Women, Chester County. Those present are: Mrs. Wildman, Mrs. Downs, Mrs. Mening, Mrs. Pusey and Mrs. Yocum.

The PRESIDENT. The Senate greets you.

You are the first—the advance guard—of the Republican Women whom we have been reading about coming to Harrisburg. Indeed, on behalf of the Senate, the Chair welcomes you.

SECOND READING CALENDAR

APPROPRIATION BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1508, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the use of moneys in the State School Fund of Pennsylvania for assisting public school districts and State Teachers' Colleges to comply with required safety standards in cer-

tain cases conferring powers and imposing duties upon the State Council of Education the Auditor General the Superintendent of Public Instruction and the Secretary of Labor and Industry and making an appropriation.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1745, entitled:

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund and flood control purposes.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1755, entitled:

A Supplement to the Act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of The Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1779, entitled:

An Act making an appropriation to The Glen Mills School in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1781, entitled:

An Act making an appropriation to the City of Harrisburg Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St Christopher's Hospital.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of the Civil Air Patrol.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

APPROPRIATION BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training students nurses in approved schools of nursing.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1, page 2, line 4, by inserting after "nursing": "and for similar payments required because of a deficiency in the appropriation for the biennium commencing June 1, 1957."

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KESSLER offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "nursing": "and making a deficiency appropriation for the same purpose."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

APPROPRIATION BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forest and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. FLEMING. Mr. President, I ask unanimous consent that House Bill No. 203, Printer's No. 1682, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 355, Printer's No. 1710, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 364, Printer's No. 391, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 496, Printer's No. 1955, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 506, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" reducing the tax rate of fuels used in turbine propeller jet turbojet or jet driven aircraft and aircraft engines.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1, page 2, line 2 by striking out "April 9 1957 (P L 55)" and inserting: "June 1, 1959 (Act No. 65)"; Amend Sec. 1 (Sec. 4), page 3, line 11 by striking out "fifty-nine" and inserting: "sixty-one".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 506, Printer's No. 1826, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 568, Printer's No. 1602, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 626, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making appropriation.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1 (Sec. 9), page 3, lines 6 and 7, by striking out "two thousand eight hundred eighty dollars (\$2880)" and inserting: "two thousand six hundred forty dollars (\$2640)"; Amend Sec. 1 (Sec. 9), page 3, line 18, by striking out "two thousand eight hundred eighty dollars (\$2880)" and inserting: "two thousand six hundred forty dollars (\$2640)"; Amend Sec. 1 (Sec. 9), page 4, line 2, by striking out "two thousand eight hundred eighty dollars (\$2880)" and inserting: "two thousand six hundred forty dollars (\$2640)".

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

Amend Sec. 2, page 4, lines 14 and 15, by striking out "Carrying out the provisions of this act" and inserting: "paying monthly pensions to the blind".

It was agreed to.

The section was agreed to as amended.

The third section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 626, Printer's No. 1761, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 900, Printer's No. 1193, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 924, Printer's No. 1087, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1018, Printer's No. 1308;

House Bill No. 1079, Printer's No. 732;

House Bill No. 1085, Printer's No. 733;

House Bill No. 1086, Printer's No. 734;

House Bill No. 1087, Printer's No. 735;

House Bill No. 1088, Printer's No. 736;

House Bill No. 1089, Printer's No. 737;

House Bill No. 1090, Printer's No. 738;

House Bill No. 1091, Printer's No. 739;

House Bill No. 1092, Printer's No. 740;

House Bill No. 1093, Printer's No. 741;

House Bill No. 1095, Printer's No. 743;

House Bill No. 1096, Printer's No. 744;

House Bill No. 1097, Printer's No. 745;

House Bill No. 1098, Printer's No. 746; and

Senate Bill No. 1117, Printer's No. 1335.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing device.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1261, Printer's No. 1795;
House Bill No. 1323, Printer's No. 627;
House Bill No. 1324, Printer's No. 566;
House Bill No. 1325, Printer's No. 567;

House Bill No. 1327, Printer's No. 568;
House Bill No. 1328, Printer's No. 569;
House Bill No. 1344, Printer's No. 1876;
House Bill No. 1355, Printer's No. 783;
House Bill No. 1380, Printer's No. 1810;
House Bill No. 1384, Printer's No. 1756; and
House Bill No. 1473, Printer's No. 1618.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I have no objection to the request made by the Majority Leader. However, might I point out that House Bill No. 1380, Printer's No. 1810, has been on the Calendar for a number of weeks, and I am just wondering whether we can take some action to move that up to Third Reading today. It is a matter that may be in some controversy, but the controversy will not be lessened if the bill just remains on the Second Reading Calendar.

Mr. BERGER. Mr. President, I think the gentleman will notice that all of the bills that have gone over in order are House Bills, unless they were amended, because they do not require as much expedition to be sent over to the House as the Senate Bills, because these bills have already passed the House and are up to Second Reading in the Senate. The bills that we are dealing with, we want to get over there as speedily as possible in view of the fact that it is now November 16, 1959.

The PRESIDENT. You are standing on your request to have the bills which you enumerated go over in order?

Mr. BERGER. Yes sir. That is right.

Mr. WEINER. Mr. President, I do not want to prolong the controversy. However, House Bill No. 1380 was amended in the Senate after a hearing was held by the committee, and I am just requesting that we take action on this matter as it will probably have to go to a con-

ference committee finally. If the purpose is to clear our Calendar and to clear our desks of many matters, this might be a good one to dispose of. If for some reason it cannot be done today, I would suggest that it may be taken up tomorrow so that we can get rid of it at that time.

Mr. BERGER. It is possible, Mr. President.

The PRESIDENT. You are still not objecting, sir?

Mr. WEINER. No sir, I have never objected.

The PRESIDENT. There being no objection, the bills will go over in their order.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Sec. 1 (Sec. 2.1), page 2, line 11 by striking out "The" where it appears the second time and inserting: "Upon request of the county board of school directors, the."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1915, Printer's No. 1258, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1927, Printer's No. 1889;
House Bill No. 1977, Printer's No. 1850;
House Bill No. 1984, Printer's No. 1879; and
House Bill No. 2108, Printer's No. 1890.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing

for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards.

The first and second sections were read and agreed to.
The third section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

Amend Bill, page 4, by inserting between lines 17 and 18: "Section 4. Section 2574 of the act, added March 22, 1856 (P. L. 1315) is amended by adding at the end thereof a new subsection to read: "Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indetbedness— * * * "(e) In calculating the rated pupil capacity for elementary buildings, the department shall exclude from its consideration, the square feet contained in the 'music practice room and instrument storage' and the "multipurpose room, assembly-play-cafeteria."

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendments:

Amend Sec. 4, page 4, line 18 by striking out "4" and inserting: "5"; Amend Sec. 4, page 4, line 18 by inserting after "733.1": "and subsection (e) of section 2574".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. PECHAN offered the following amendments:

Amend Title, page 1, next to last line of Title, by striking out "and"; Amend Title, page 1, last line of Title, by inserting after "standards": "and changing provisions relating to the determination of certain reimbursable amounts."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2173, Printer's No. 1881, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2297, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "The Pennsylvania Workmen's Com-

pensation Act" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 1 (Sec. 306), page 9, lines 16 to 18, by striking out "pro-" in line 16 and all of lines 17 and 18, and inserting: "and in the case of a second injury or amputation to the same limb prior to the expiration of the first healing period, a new healing period shall commence for the period hereinbefore provided, and no further compensation shall be payable for the first healing period".

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 2297, Printer's No. 1891, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2402, Printer's No. 1798;

House Bill No. 2412, Printer's No. 1803; and

House Bill No. 2419, Printer's No. 1792.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2420, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "Statutory Construction Act" changing the provisions relating to the effective date of certain laws.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.
Mr. TAYLOR. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 253, entitled:

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1094, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and changing the membership of the State Board of Medical Education and Licensure.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244), entitled "Local Government Commission Law," clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 1474, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" further expanding the investment powers of State administrative departments boards commissions and officers to purchase certain interest-bearing obligations preferred and common stock.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 2394, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the provisions relating to the reading of the Bible in public schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John R. Torquato, 2260 Crabtree Lane, Johnstown, Cambria County, for appointment as a member of the Pennsylvania Securities Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Mrs. Elizabeth G. Zeidman, Rydal, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE JUVENILE COURT

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bennett Rodgers, Esq., 5312 Ellsworth Avenue, Pittsburgh, Allegheny County, for appointment as Judge of the Juvenile Court of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, until the first Monday of January 1962, vice Hon. Gustav L. Schramm, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Giles, Reading, Berks County, for appointment as a member of the Unemployment Compensation Board of Review, from December 23, 1957, until July 1, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert W. Anthony, 1200 Seventeenth Avenue, Altoona, Blair County, for appointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1963, vice Hon. Henry Houck, Pottsville, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert J. McGlinchey, 596 East Geneva Avenue, Philadelphia 20, Philadelphia County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond E. Gardlock, 116 Marlboro Drive, New Kensington, Westmorland County, for appointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified, vice Frank K. Cochran, Greensburg, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Bevec, 173 Alexander Avenue, Strabane, Washington County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry H. Davis, R. D. 1, Industry, Beaver County, for appointment as a member of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Frank C. Lewis, Beaver Falls.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl Fetherman, Newfoundland, Wayne County, for appointment as Justice of the Peace in and for the Township of Dreher, Wayne County, to serve until the first Monday of January 1962, vice Robert Baughan, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman L. Cooper, Box 305, R. D. 1, Coal Center, Washington County, for appointment as Justice of the Peace in and for the Borough of Long Branch, Washington County,

to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 2368, LAID ON TABLE

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, and and laid the table:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur), That House Bill No. 2368, Printer's No. 1714, entitled:

An Act amending the act of June 25, 1947 (P. L. 971), entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class," increasing the compensation of auditors.

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 2429, LAID ON TABLE

He also presented extract from the Journal of the House of Representatives which was read as follows, and laid on the table:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur), That House Bill No. 2429, Printer's No. 1835, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

be recalled from the Governor for the purpose of further consideration.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 998

He also presented communication from the House of Representatives, informing the State that the House has concurred in amendments made by the Senate to House

Bill No. 998, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 defining distressed school districts; . . . defining the powers and duties of the Superintendent of Public Instruction.

BILL SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bill:

House Bill No. 998, Printer's No. 1851.

PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, as I said the first time, I cannot seem to get this microphone turned on so that I can be heard.

Senator Barr, who is not here today, asked me to read remarks which he has left in reference to a measure in which he is very much interested. It will not take me very long to do so. I will try to make it as brief as I possibly can.

On behalf of State Senator Joseph M. Barr:

"Mr. President, on August 4th, House Bill No. 322, appropriately known as the Fair Housing Bill, passed the House by a vote of 131 to 66 receiving deserved bipartisan support. On August 5th, this bill, of crucial concern to the well-being of this Commonwealth and of its people, was referred to the Senate Committee on Labor and Industry, and there it has remained until this day.

"I believe I speak for all fair-minded Pennsylvanians when I say that this is an unjust and intolerable situation.

"House Bill No. 322 is one of the most essential pieces of legislation ever to come before the General Assembly of Pennsylvania. Its roots stem from our basic concepts of freedom and democracy. Its purpose is to remove barriers of discrimination which adversely affected not only those who are discriminated against, but the Commonwealth as a whole.

"My support of this bill has not been diminished by the fact that my own city of Pittsburgh has already enacted a fair housing ordinance, which was signed into law by Governor Lawrence when he was still Mayor of Pittsburgh. Indeed, my enthusiasm for this measure is invigorated, if anything, by the Pittsburgh experience, as determined after its fair housing legislation was implemented last June following several months of an intensive educational campaign.

"This is what Pittsburgh has found:

"(1) Since its ordinance went into effect, there is real and tangible evidence that most real estate agents are showing both rental and sales property to minority group families which previously would have been denied them. This makes it possible for the owner or rental agent to deal directly with the minority person and to consider his qualifications for acquiring or using the property. This is a distinct gain in seeking equal rights for all. It demonstrates what we all know is true: most people are law-abiding and you have a great deal of voluntary compliance that simply does not happen unless there is a law.

"The second thing demonstrated by Pittsburgh's experience is that no revolution has resulted from its fair housing legislation. Builders are still building, houses are still being sold or rented. The market has not been adversely affected by the ordinance.

"Actually, the number of violations reported to the Pittsburgh Commission on Human Relations, which administers the ordinance, has been relatively small amounting to only 25 during the first five months of enforcement. All of these cases have been resolved satisfactorily through negotiation and conciliation. None has gone to public hearing and none has required court action.

"This should not, however, be taken as an indicator

of the beneficial effects of the measure. The basic improvement has come about by the passage of the legislation itself and from the educational program which has been conducted. Church leadership from all denominations and faiths has been especially helpful in promoting acceptance of the open housing market and compliance with the law.

"All of this experience is good. However, it is obvious that discrimination, like any other disease, does not recognize political boundaries. Pittsburgh's experience, and the experience of the other cities and States throughout the nation which have similar legislation, such as Philadelphia, proves that the concept of fair housing is workable, and is highly beneficial.

"There can be no doubt that such a concept must be statewide in Pennsylvania, if it is to have full meaning and the widest benefit. Nor can there be any doubt as to its need, which was firmly established, after exhaustive study, by a group of distinguished citizens who made up the Governor's Committee on Discrimination in Housing.

"Without going into the Commission's findings in detail, they can be summed up as asserting that housing discrimination in Pennsylvania is widespread and deeply persuasive, having, as its direct victims, well over a million citizens of the Commonwealth.

"As I said before, it is not merely those who are discriminated against who are harmed, but the communities of this State as well. Ghettos, which are the cancerous results of housing discrimination, breed discontent, decay and eventually delinquency.

"It is vital that Pennsylvania move boldly and intelligently to eliminate the injustice and the damage which housing discrimination breeds. It is high time we enforce the basic concepts of equality of all citizens with legislation such as that which has been presented to the Assembly.

"We owe it to Pennsylvania, to its citizens and to its future well-being to stand up and be counted on this issue which can have such meritorious impact upon the communities of this State through fuller realization of the equality we offer to all of our citizens.

"For these reasons, Mr. President, I ask that the committee agree to meet to consider this bill immediately. If it is unwilling to do that, then the committee should be discharged from further considering this bill."

Mr. President, I intend to introduce a resolution, asking that that very thing happen, unless this committee reconsiders its position that it has taken in this vital matter.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, November 17, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:34 o'clock, p.m., Eastern Standard Time, until Tuesday, November 17, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, November 16, 1959

The House met at 3:30 p.m. E.S.T.

Mr. AGNEW in the Chair.

The Speaker pro tempore. The present occupant of the Chair has been asked to preside by the Speaker until he returns to the Hall of the House.

PRAYER

The Chaplain, Reverend R. Hoover, offered the following prayer:

O Merciful Father in Heaven, Who holdest in Thy hand all the might of man, and Who hast ordained the powers of this world, and of Whom is all rule and authority in the kingdoms of the world: We humbly beseech Thee to graciously regard these Thy servants, the Members of this House of Representatives, whom Thou hast called to be leaders in this great Commonwealth. Enlighten and defend them by Thy Name, O God. Grant them wisdom and understanding, that, under their peaceable governance, Thy people may be guarded and directed in righteousness, quietness, and unity. Protect and prolong their lives, O God of salvation, that we, with them, may show forth the praise of Thy Name through Jesus Christ, Thy Son, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Thursday, November 12, 1959 will be postponed until printed.

The Chair hears none.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. MULLIN for today.

Mrs. Varallo for Mr. RILEY for today and tomorrow.

Mrs. Varallo for Mr. REIDENBACH for the week because of illness.

Mr. Tompkins for Mr. FOX for today.

Mr. Tompkins for Mr. STONER for today.

Mr. Tompkins for Mr. LIGHT for today.

Mr. Tompkins for Mrs. HENZEL for today.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules reported as amended, Senate Bill No. 290, entitled:

An Act authorizing the governing bodies of political subdivisions to remove members of Authorities created by such political subdivisions.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County, to the Juniata Valley Council of Boy Scouts of America.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (P. L. 58)

entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County, to the Juniata Valley Council of Boy Scouts of America.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

By Messrs. McCANN, FRANK, POLEN and LOPRESTI.
HOUSE BILL No. 2452.

A Joint Resolution proposing an amendment to article eighteen, section one of the Constitution of the Commonwealth of Pennsylvania, changing the method of amending the Constitution.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1198, 1746, 1748, 2265, 2271 and 2326.

Governor's Office, Harrisburg, November 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1198, Printer's No. 1755, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' further prescribing the powers and duties of the Department of Mines and Mineral Industries in relation to abandoned coal mines."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1746, Printer's No. 1900, entitled "An Act making an appropriation to the Pennsylvania Industrial Development Authority."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1748, Printer's No. 1901, entitled "An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2265, Printer's No. 1577, entitled "An Act amending the act of June 2, 1891

(P. L. 176) entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' creating and imposing duties on mine safety committees."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2271, Printer's No. 1576, entitled "An Act amending the act of May 9, 1889 (P. L. 154) entitled 'An act to provide for the recovery of the bodies of the workmen enclosed buried or entombed in coal mines' requiring the Department of Mines and Mineral Industries to bring actions of mandamus for the recovery of bodies of workmen entombed in coal mines in certain cases AND EMPOWERING THE COURT TO MAKE FINDING AND DECREE THE DEATH OF SUCH PERSONS."

DAVID L. LAWRENCE.

November 12, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2326, Printer's No. 1899, entitled "An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959."

DAVID L. LAWRENCE.

MERCER COUNTY REPUBLICAN WOMEN WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a delegation of Republican Women from Mercer County.

They are the guests of the Representatives from Mercer County, Mr. Down and Mr. Willard.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair has an important announcement to make, an announcement of interest to each Member, relative to tomorrow's Session. The House will convene tomorrow, Tuesday, November 17 at 1:00 p. m. Members are requested to have their lunch before we meet. There will be no recess for lunch after the House convenes tomorrow.

PRESENTATION CEREMONIES MADE SPECIAL ORDER

Mr. McCANN. Mr. Speaker, I move that the final adjournment ceremony be made a special order of business for today at 5:00 p. m., EST.

The motion was agreed to.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 998.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" by defining distressed school districts creating and authorizing a special board of

control to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2256, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2257, entitled:

An Act amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2258, entitled:

An Act amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208) further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 594, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House providing for the repair of the Pechin House authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1219, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) prohibiting the issuance or transfer of hotel restaurant and club liquor licenses and malt and brewed beverage retail licenses to locations within three hundred feet of any church hospital charitable institution school or public playground.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2293, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in that borough.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2449, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

RESOLUTION

RECALLING HOUSE BILL No. 2429 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur) that House Bill No. 2429, Printer's No. 1835, entitled "An act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hun-

dred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL No. 2368 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur) that House Bill No. 2368, Printer's No. 1714, entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the compensation of auditors," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS CALLED UP OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate Bill No. 1079, entitled:

An Act amending the act of May 22, 1945 (P. L. 837) entitled as amended "An act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war or armed conflict in which the United States engaged . . ." changing and clarifying certain preference provisions and adding definitions.

On the question,

Will the House agree to the bill on final passage?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Military Affairs.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 591, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring school buses to be equipped with a pressurized dry chemical fire extinguisher and providing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. MERRY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, first and second lines of Title, by striking out "(ACT NO. 32)" and inserting: "(P. L. 58)."

Amend Sec. 1, page 3, line 2, by striking out "(ACT NO. 32)" and inserting: "(P. L. 58)."

Amend Sec. 1 (Sec. 840), page 3, line 13, by striking out "ten (10)" and inserting: "two and one-half (2½)."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2437, entitled:

An Act abating certain tax penalties interest and costs on county city (except city of the first class) borough town township school district (except school district of the first class) and institution district taxes * * *

On the question,

Will the House agree to the bill on third reading?

Mr. FILO asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, first line of Title, by striking out "county".

Amend Title, page 1, second line of Title, by inserting after "township" "and".

Amend Title, page 1, third line of Title, by striking out "and institution district".

Amend Sec. 1, page 2, lines 3 and 4, by striking out "and institution district".

Amend Sec. 1, page 2, line 5, by striking out "eight and all previous years" and inserting: "nine".

Amend Sec. 1, page 2, lines 7 and 8, by striking out "any of such years are hereby abated without the necessity of further action" and inserting: "such year may be abated".

Amend Sec. 1, page 2, lines 12 and 13, by striking out "fifty-eight and for all previous years" and inserting: "fifty-nine".

Amend Sec. 1, page 3, line 2, by striking out "fifty-nine" and inserting: "sixty".

Amend Sec. 1, page 3, line 3, by striking out "fifty-nine" and inserting: "sixty".

Amend Sec. 1, page 3, line 4, by striking out "fifty-nine" and inserting: "sixty".

Amend Sec. 4, page 5, lines 6 to 11, by striking out all of said lines.

Amend Sec. 5, page 5, line 12, by striking out "5" and inserting: "4".

Amend Sec. 5, page 5, lines 18 to 20, page 6, lines 1 to 3, by striking out all of lines 18 to 20, page 5; and all of lines 1 and 2, and "quired by the taxpayers in order to receive the same" in line 3, page 6.

Amend Sec. 6, page 6, line 17, by striking out "6" and inserting: "5".

Amend Sec. 6, page 6, lines 19 and 20, page 7, lines 1 to 10, by striking out "before December" in line 19, all of line 20, page 6; all of lines 1 to 9, and "avails himself of the privileges or benefits of this act" in line 10, and inserting: "due for the year one thousand nine hundred fifty-nine during the period this act is in effect, if taxes on such property are being paid pursuant to the provisions of section 1 hereof".

Amend Bill(page 7, by inserting after line 18:

"Section 6. Any city, borough, town, township or school district desiring to grant the benefits provided for herein shall do so by enacting an ordinance or resolution adopting this act on or before the fifteenth day of December, one thousand nine hundred fifty-nine."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2443, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the preparation of the budget in accordance with the recent constitutional amendment.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Bill, page 4, by inserting after line 20: "Section 2. This act shall take effect June 1, 1960."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1839 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 306), page 6, lines 4 to 6, by striking out "Provided That the" in line 4, all of line 5 and "period" in line 6, and inserting: "and in the case of a second injury or amputation to the same limb prior to the expiration of the first healing period, a new healing period shall commence for the period hereinbefore provided, and no further compensation shall be payable for the first healing period."

Amend Sec. 2 (Sec. 314), page 13, line 4, by inserting after "board": "Provided, That in the case where there has been an examination by a physician selected and paid for by the Commonwealth, there shall be in addition an examination by an independent physician selected and paid for by the employer who shall file a report and testify and who shall not be allowed under any circumstances to adopt the report or the testimony or the examination of the physician of any other party."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 2323, Printer's No. 1401, on page 11 of today's calendar, bills on third reading postponed.

RECONSIDERATION OF VOTE ON CONFERENCE COMMITTEE REPORT ON HOUSE

BILL No. 1207

Mr. J. J. MURRAY. Mr. Speaker, I move that the vote by which the Conference Committee Report on House Bill No. 1207, Printer's No. 1893, entitled:

"An Act amending the 'Public School Code of 1949,' approved March 10, 1949 (P. L. 30) providing for pay-

ments on account of pupil transportation to certain additional school districts."

was adopted by the House on Wednesday, November 11, 1959, be reconsidered.

Mr. STEVENS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Murray vote on the report of the Committee of Conference on this bill?

Mr. J. J. MURRAY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Stevens vote on the report of the Committee of Conference on this bill?

Mr. STEVENS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

CONFERENCE REPORT RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that the report of the Committee of Conference be recommitted to the Committee of Conference.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 2388

Mr. A. M. LEE. Mr. Speaker, I move that the vote by which House Bill No. 2388, Printer's No. 1956, entitled:

"An Act amending the 'State Highway Law,' approved June 1, 1945 (P. L. 1242), authorizing acquisition of property necessary for present or future highway purposes."

was defeated on Final Passage Thursday, November 12, 1959, be reconsidered.

Mr. AUKER. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Philadelphia, Mr. Lee vote on the final passage of this bill?

Mr. A. M. LEE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Blair, Mr. Auken vote on the final passage of this bill?

Mr. AUKER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. A. M. LEE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. A. M. LEE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 222), page 4, line 10, by striking out "consents" and inserting: "and the owner of such unimproved land consent."

Amend Sec. 1 (Sec. 222), page 4, line 13, by striking out "BUT" and inserting: "and."

Amend Sec. 1 (Sec. 226), page 5, line 20, by striking out "either".

Amend Sec. 1 (Sec. 226), page 5, line 20, by striking out "or after".

Amend Sec. 1 (Sec. 226), page 6, line 6, by striking out "PHYSICAL ENTRY".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. A. M. LEE. Mr. Speaker, may I say that these amendments were worked out by the special committee which was appointed on Thursday last for that purpose.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 11, 1959.

Resolved (if the Senate concur), that House Bill No. 2264, Printer's No. 1337, entitled "An act authorizing and requiring the Department of Mines and Mineral Industries to make examinations to determine the accuracy of maps plans and drawings submitted to it," be recalled from the Governor for further consideration.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 11, 1959.

Resolved (if the Senate concur), that House Bill No. 2266, Printer's No. 1366, entitled "An act amending the act of June 2, 1891 (P. L. 176), entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith,' changing the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports," be recalled from the Governor for further consideration.

REPUBLICAN WOMEN'S COUCL WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a delegation consisting of the members of the Republican Womens' Council of Valley Forge and Chester County. They are here under the supervision of Mrs. Wildman, Mrs. Mening, Mrs. Downes, Mrs. Pusey and Mrs. Yocum. They are the guests of the gentlemen from Chester County, Messrs. Ashton, Brown and Ujobai.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class and first class A for current expenses.

On the question,
Shall the bill pass finally?

Mr. STEWART. Mr. Speaker, the plight of our schools in Philadelphia, as well as the schools in the rest of the state, has been given a sort of verbal hashing. We have had before us two bills, each, in my opinion, representing wishful thinking by both groups who sponsored the legislation.

It has been obvious that these bills have caused more ill feeling between urban and rural areas than any other single piece of legislation. It is my belief that we, as Legislators, have failed miserably, and this is doubly so when we realize that 46 percent of the budget is allocated to education, and yet we have spent 99 percent of our time on political bickering.

I could place the blame upon the administration for not coming forward with a bold, dynamic educational program, which it should have done. Yet, partisan advantage never has solved any problem and has not solved one problem this Session.

The first and basic observation that anyone must make is that the present reimbursement formula is antiquated, unfair, unrealistic and a legalistic nightmare of mumbo-jumbo. I have studied and proposed, not as a panacea or cure-all in conjunction incidentally with the gentleman from Philadelphia, Mr. McCormack, that the reimbursement formula be based on a per capita income as the real determiner of the local district's ability to pay. It is what the individual takes home in his pay envelope that really determines what he can pay toward the mounting school costs, and not the unrealistic market value of real estate.

Second, I propose that the Speaker of the House appoint an Educational Task Force, not to study the problem—there has been too much of that already—but rather to propose an educational program and the taxes to pay for it.

I like not this temporary transfusion of a two mill increase in real estate taxes, yet our Philadelphia schools and teachers must have this shot in the arm if they are to survive. The impact of this tax falls equally upon rich and poor and does not satisfy the basic philosophy of ability to pay. Since I have pledged to vote for taxes for the Philadelphia school program, I will support this bill. But, in doing so, I ask the Speaker and other Members of this House to support the appointment of an educational task force, which is so badly needed.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|------------|------------|-------------|------------|
| Agnew, | Frank, | McCandless, | Rigby, |
| Anderson, | Frascella, | McCann, | Rovansek, |
| Arlene, | Fulmer, | McCormack, | Royer, |
| Ashton, | Galley, | McDonald, | Sakulsky, |
| Auker, | Gallagher, | McInroy, | Scarcelli, |
| Balthaser, | Garlock, | McKeever, | Schuster, |
| Barton, | Gelfand, | McLaughlin, | Schwartz, |
| Bell, | George, | Machmer, | Seltzer, |
| Blair, | Goldstein, | Magee, | Sherman, |
| Bonner, | Goodrich, | Mahan, | Snare, |
| Bower, | Gramlich, | Markley, | Snider, |
| Bowman, | Guthrie, | Meholchick, | Stank, |

| | | | |
|-------------|-----------------|---------------------|-----------------------|
| Brenninger, | Hamilton, | Merry, | Steckel, |
| Breth, | Hocker, | Mihm, | Stevens, |
| Brown, | Holliday, | Miller, B. Z., | Stewart, |
| Buchanan, | Holt, | Miller, H. G., | Stimmel, |
| Burns, | Horst, | Monroe, | Stone, |
| Capano, | Irviss, | Muldowney, | Stroup, |
| Capitolo, | Isaacs, | Munley, | Sullivan, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr., | Taylor, |
| Cioffi, | Jim, | Murphy, P. J., | Thompson, |
| Clarke, | Johnson, A. W., | Murray, H. P. | Tompkins, |
| Comer, | Johnson, R., | Murray, J. J., | Trusio, |
| Crossin, | Jones, F. R., | Murray, P. G., | Ujobai, |
| Curwood, | Jump, | Musto, | Varallo, |
| Davis, | Kamyk, | Naugle, | Verona, |
| Dengler, | Kee, | Needham, | Wall, |
| Dennison, | Keiser, | Nelson, | Walsh, |
| Devlin, | Kernaghan, | O'Dell, | Wargo, |
| Donahue, | Kessler, | O'Donnell, J. A., | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neil, | Wescott, |
| Edwards, | Korns, | Parlante, | Wheeler, |
| Eilberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willaredt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wood, |
| Fetterolf, | Leonard, | Polen, | Worley, |
| Filo, | Limper, | Prendergast, | Wynd, |
| Fineman, | Lippincott, | Price, | Yatron, |
| Floyd, | Lopresti, | Pursley, | Yetter, |
| Flynn, | Luigard, | Reibman, | Zimmerman, |
| Foerster, | Lutty, | Renwick, | Andrews, |

Speaker

NAYS—1

Varner,

NOT VOTING—31

| | | | |
|------------|------------------|-------------------|------------|
| Boles, | Heavey, | Mills, | Schaaf, |
| Boris, | Heffner, | Moran, | Shupnik, |
| Branca, | Helm, | Mullen, | Silverman, |
| Cooper, | Henzel, | O'Donnell, J. P., | Stoner, |
| Dennis, | Jones, T. H. W., | Odorisio, | Strausser, |
| Donaldson, | Kornick, | Reidenbach, | Whittaker, |
| Fox, | Light, | Riley, | Wilt, |
| Gibb, | Maxwell, | Rudisill, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mrs. REIBMAN asked and obtained permission for the Committee on Education to meet during the session of the House.

The SPEAKER pro tempore. The Chair at this time wishes to thank the Speaker of the House for the privilege of presiding and returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Allegheny and regains the Chair on this note of unanimity that has just been sounded.

REPORTS FROM COMMITTEE

Mr. YATRON from the Committee on Education, reported as amended, House Bill No. 866, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing names of State Teachers' Colleges.

Mrs. ANDERSON from the Committee on Education, reported as amended, House Bill No. 1106, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), defining "educational secretary" and providing for their certification.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 2018, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania; * * *" further regulating the salary of the first aid and mine rescue instructors.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, House Bill No. 2019, entitled:

An Act amending the act of April 25, 1945 (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; * * *," regulating the salary of electrical inspectors.

Mr. FLOYD from the Committee on Education, reported as amended, House Bill No. 2167, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), regulating the number of hours in a school year.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 351, entitled:

An Act amending the "State Highway Law" of June 1, 1945 (P. L. 1242) providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class A and third class.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 592, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursement for transportation of pupils.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for investments of the permanent State School Fund.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances and creating a special board to pass upon the retirement of members who have attained the compulsory resignation age.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

Mr. CAPANO from the Committee on Education, reported as committed, Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" requiring certain school districts to provide chaperons when transporting school children in certain cases.

Mr. SNIDER from the Committee on Appropriations, re-reported as committed, Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

Mr. SNIDER from the Committee on Appropriations, re-reported as amended, Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" requiring certain school districts to provide chaperons when transporting school children in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2171, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) authorizing the adoption of rules and regulations concerning inflammable or combustible substances certain fire hazards. * * *

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1162, entitled:

An Act amending the "City Classification Law" approved June 25, 1895 (P. L. 275) changing the mode for the advance in classification of cities upon their increase in population.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were as follows:

YEAS—176

| | | | |
|-------------|-----------------|---------------------|-----------------------|
| Agnew, | Frank, | McCandless, | Rigby, |
| Anderson, | Frascella, | McCann, | Rovansek, |
| Arlene, | Fulmer, | McCormack, | Royer, |
| Ashton, | Galley, | McDonald, | Sakulsky, |
| Auker, | Gallagher, | McInroy, | Scarcelli, |
| Balthaser, | Garlock, | McKeever, | Schuster, |
| Barton, | Gelfand, | McLaughlin, | Schwartz, |
| Bell, | George, | Machmer, | Seltzer, |
| Blair, | Goldstein, | Magee, | Sherman, |
| Bonner, | Goodrich, | Mahan, | Snare, |
| Bower, | Gramlich, | Markley, | Snider, |
| Bowman, | Guthrie, | Meholchick, | Stank, |
| Brenninger, | Hamilton, | Merry, | Steckel, |
| Breth, | Hocker, | Mihm, | Stevens, |
| Brown, | Holliday, | Miller, B. Z., | Stewart, |
| Buchanan, | Holt, | Miller, H. G., | Stimmel, |
| Burns, | Horst, | Monroe, | Stone, |
| Capano, | Irvis, | Muldowney, | Stroup, |
| Capitolo, | Isaacs, | Munley, | Sullivan, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr., | Taylor, |
| Cloff, | Jim, | Murphy, P. J., | Thompson, |
| Clarke, | Johnson, A. W., | Murray, H. P. | Tompkins, |
| Comer, | Johnson, R., | Murray, J. J., | Trusio, |
| Crossin, | Jones, F. R., | Murray, P. G., | Ujobal, |
| Curwood, | Jump, | Naugle, | Varallo, |
| Davis, | Kamyk, | Musto, | Verona, |
| Dengler, | Kee, | Needham, | Wall, |
| Dennison, | Kelser, | Nelson, | Walsh, |
| Devlin, | Kernaghan, | O'Dell, | Wargo, |
| Donahue, | Kessler, | O'Donnell, J. A., | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neil, | Wescott, |
| Edwards, | Korns, | Parlante, | Wheeler, |
| Ellberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willardt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wood, |
| Fetterolf, | Leonard, | Polen, | Worley, |
| Filo, | Limper, | Prendergast, | Wynd, |
| Fineman, | Lippincott, | Price, | Yatron, |
| Floyd, | Lopresti, | Pursley, | Yetter, |
| Flynn, | Luigard, | Reibman, | Zimmerman, |
| Foerster, | Lutty, | Renwick, | Andrews, |

Speaker

NAYS—1

Varner,

NOT VOTING—31

| | | | |
|------------|------------------|-------------------|------------|
| Boles, | Heavey, | Mills, | Schaaf, |
| Boris, | Heffner, | Moran, | Shupnik, |
| Branca, | Helm, | Mullen, | Silverman, |
| Cooper, | Henzel, | O'Donnell, J. P., | Stoner, |
| Dennis, | Jones, T. H. W., | Odorisio, | Strausser, |
| Donaldson, | Kornick, | Reidenbach, | Whittaker, |
| Fox, | Light, | Riley, | Wilt, |
| Gibb, | Maxwell, | Rudisill, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2440, entitled:

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" providing that every juror shall receive mileage.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|-------------|-----------------|---------------------|-----------------------|
| Agnew, | Frank, | McCandless, | Rigby, |
| Anderson, | Frascella, | McCann, | Rovansek, |
| Arlene, | Fulmer, | McCormack, | Royer, |
| Ashton, | Galley, | McDonald, | Sakulsky, |
| Auker, | Gallagher, | McInroy, | Scarcelli, |
| Balthaser, | Garlock, | McKeever, | Schuster, |
| Barton, | Gelfand, | McLaughlin, | Schwartz, |
| Bell, | George, | Machmer, | Seltzer, |
| Blair, | Goldstein, | Magee, | Sherman, |
| Bonner, | Goodrich, | Mahan, | Snare, |
| Bower, | Gramlich, | Markley, | Snider, |
| Bowman, | Guthrie, | Meholchick, | Stank, |
| Brenninger, | Hamilton, | Merry, | Steckel, |
| Breth, | Hocker, | Mihm, | Stevens, |
| Brown, | Holliday, | Miller, B. Z., | Stewart, |
| Buchanan, | Holt, | Miller, H. G., | Stimmel, |
| Burns, | Horst, | Monroe, | Stone, |
| Capano, | Irvis, | Muldowney, | Stroup, |
| Capitolo, | Isaacs, | Munley, | Sullivan, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr., | Taylor, |
| Cloff, | Jim, | Murphy, P. J., | Thompson, |
| Clarke, | Johnson, A. W., | Murray, H. P., | Tompkins, |
| Comer, | Johnson, R., | Murray, J. J., | Trusio, |
| Crossin, | Jones, F. R., | Murray, P. G., | Ujobal, |
| Curwood, | Jump, | Musto, | Varallo, |
| Davis, | Kamyk, | Naugle, | Verona, |
| Dengler, | Kee, | Needham, | Wall, |
| Dennison, | Kelser, | Nelson, | Walsh, |
| Devlin, | Kernaghan, | O'Dell, | Wargo, |
| Donahue, | Kessler, | O'Donnell, J. A., | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neil, | Wescott, |
| Edwards, | Korns, | Parlante, | Wheeler, |
| Ellberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willardt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wood, |
| Fetterolf, | Leonard, | Polen, | Worley, |
| Filo, | Limper, | Prendergast, | Wynd, |
| Fineman, | Lippincott, | Price, | Yatron, |
| Floyd, | Lopresti, | Pursley, | Yetter, |
| Flynn, | Luigard, | Reibman, | Zimmerman, |
| Foerster, | Lutty, | Renwick, | Andrews, |

Speaker

NAYS—0

Varner,

NOT VOTING—31

| | | | |
|------------|------------------|-------------------|------------|
| Boles, | Heavey, | Mills, | Schaaf, |
| Boris, | Heffner, | Moran, | Shupnik, |
| Branca, | Helm, | Mullen, | Silverman, |
| Cooper, | Henzel, | O'Donnell, J. P., | Stoner, |
| Dennis, | Jones, T. H. W., | Odorisio, | Strausser, |
| Donaldson, | Kornick, | Reidenbach, | Whittaker, |
| Fox, | Light, | Riley, | Wilt, |
| Gibb, | Maxwell, | Rudisill, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2441, entitled:

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" providing that all witnesses be paid mileage.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|-------------|-----------------|---------------------|-----------------------|
| Agnew, | Frank, | McCandless, | Rigby, |
| Anderson, | Frascella, | McCann, | Rovansek, |
| Arlene, | Fulmer, | McCormack, | Royer, |
| Ashton, | Galley, | McDonald, | Sakulsky, |
| Auker, | Gallagher, | McInroy, | Scarcell, |
| Balthaser, | Garlock, | McKeever, | Schuster, |
| Barton, | Gelfand, | McLaughlin, | Schwartz, |
| Bell, | George, | Machmer, | Seltzer, |
| Blair, | Goldstein, | Magee, | Sherman, |
| Bonner, | Goodrich, | Mahan, | Snare, |
| Bower, | Gramlich, | Markley, | Snider, |
| Bowman, | Guthrie, | Meholchick, | Stank, |
| Brenninger, | Hamilton, | Merry, | Steckel, |
| Breth, | Hocker, | Mihm, | Stevens, |
| Brown, | Holliday, | Miller, B. Z., | Stewart, |
| Buchanan, | Holt, | Miller, H. G., | Stimmel, |
| Burns, | Horst, | Monroe, | Stone, |
| Capano, | Irlis, | Muldowney, | Stroup, |
| Capitolo, | Isaacs, | Munley, | Sullivan, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr., | Taylor, |
| Cioffi, | Jim, | Murphy, P. J., | Thompson, |
| Clarke, | Johnson, A. W., | Murray, H. P. | Tompkins, |
| Comer, | Johnson, R., | Murray, J. J., | Trusio, |
| Crossin, | Jones, F. R., | Murray, P. G., | Ujobal, |
| Curwood, | Jump, | Musto, | Varallo, |
| Davis, | Kamyk, | Naugle, | Verona, |
| Dengler, | Kee, | Needham, | Wall, |
| Dennison, | Kelser, | Nelson, | Walsh, |
| Devlin, | Kernaghan, | O'Dell, | Wargo, |
| Donahue, | Kessler, | O'Donnell, J. A., | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neill, | Wescott, |
| Edwards, | Korns, | Parlante, | Wheeler, |
| Ellberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Ehleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willaredt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wood, |
| Fetterolf, | Leonard, | Polen, | Worley, |
| Filo, | Limper, | Prendergast, | Wynd, |
| Fineman, | Lippincott, | Price, | Yatron, |
| Floyd, | Lopresti, | Pursley, | Yetter, |
| Flynn, | Luigard, | Reibman, | Zimmerman, |
| Foerster, | Lutty, | Renwick, | Andrews, |

Speaker

NAYS—0

Varner,

NOT VOTING—31

| | | | |
|------------|------------------|-------------------|------------|
| Boles, | Heavey, | Mills, | Schaaf, |
| Boris, | Heffner, | Moran, | Shupnik, |
| Branca, | Helm, | Mullen, | Silverman, |
| Cooper, | Henzel, | O'Donnell, J. P., | Stoner, |
| Dennis, | Jones, T. H. W., | Odorisio, | Strausser, |
| Donaldson, | Kornick, | Reidenbach, | Whittaker, |
| Fox, | Light, | Riley, | Wilt, |
| Gibb, | Maxwell, | Rudisill, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 953.

Mr. DOUGHERTY. Mr. Speaker, I move that the vote by which House Bill No. 953, Printer's No. 1083, entitled:

"An Act amending the 'Cooperative Agriculture Non-Stock Associations Law,' approved June 12, 1919 (P. L. 466), providing for deductions by Pennsylvania milk dealers and milk handlers for payments to cooperative agricultural associations."

was defeated on Final Passage Thursday, November 12, 1959, be reconsidered.

Mr. FLOYD. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Dougherty vote on the final passage of this bill?

Mr. DOUGHERTY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Floyd vote on the final passage of this bill?

Mr. FLOYD. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DOUGHERTY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered. The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. DOUGHERTY. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 998 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur), that House Bill No. 998, Printer's No. 1851, entitled "An act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' by distressed school districts creating and authorizing a special board of control to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETING

MILITARY AFFAIRS, Committee meeting and public hearing, Mr. Needham, Chairman, Room 324, Tuesday, November 17 at 11:00 a.m.

PRESENTATION CEREMONIES

The SPEAKER. This being the day and the hour fixed by special order by the House for conducting the final adjournment ceremonies, the Chair requests the gentleman from Clearfield, Mr. Breth, Chairman of the Program Committee, to preside.

Mr. BRETH PRESIDING

The CHAIRMAN. Members of the House, guests and friends, I want to thank the Members of the House first for the appointment as Chairman of the Program Committee, and, in behalf of the other two Members, the gentleman from Lancaster, Mr. P. G. Murray, and the gentleman from Northumberland, Mr. Stank, for the opportunity to serve the Members of the House on this occasion.

I want to first welcome to the Hall of the House all of the ladies who are here to greet the House and those present this afternoon. I hope that this occasion will bring pleasure to life and some enjoyment, and I would not be human but what I might remark that, as in all projects of this size and nature, there are headaches. However, the headaches can be borne, and I think the enjoyment factor will far supersede the unenjoyment factor.

I want to take this occasion immediately to thank the Members, their friends and others who have contributed in any way to this occasion.

And now, ladies and gentlemen, I hope to be brief. I hope that our program will move along rapidly.

The gentleman from Delaware, Dr. Dengler, our distinguished director of music, who has on many occasions helped many Members to remember better and make their birthdays more enjoyable, has arranged for our entertainment an outstanding program featuring our own House Legislative Chorus. This Chorus will be accompanied by Miss Virginia Gramlich, the daughter of one of our distinguished Members, the gentleman from Venango County, at the piano. And there will be other talented artists to entertain us.

At this time I want to introduce to our Members and guests, Dr. Dengler, our "Music Man."

Mr. DENGLER. Thank you very much, Chairman Breth.

I think we have a very fine program for you this afternoon. For the past month or so the Legislative Chorus has been rehearsing very diligently down in the Majority Caucus Room. We ask the Legislative Chorus to open our program today with a great song entitled, "Beyond the Blue Horizon."

The Members of the House, and their guests, were entertained by the Legislative Chorus under the direction of Mr. Dengler, and the Stenographic Chorus under the direction of Mrs. Moran.

The CHAIRMAN. The Chair certainly wants to extend his thanks to Dr. Dengler and the Legislative Chorus in behalf of the Members of the House and their guests. Also to the charming ladies, the talented Members and other artists for their very, very splendid performance. The timely program has been most enjoyable for us all.

The Chair recognizes the gentleman from Greene, Mr. McCann, the Majority Leader, who presents a Resolution.

RESOLUTION

CONGRATULATING THE SPEAKER

Mr. McCANN offered a resolution which was read by the Chief Clerk as follows:

In the House of Representatives, November 16, 1959.

The Honorable Hiram G. Andrews has well earned the admiration and respect of his colleagues by the outstanding manner in which he, as Speaker of the House, has handled the problems and conducted the proceedings of this legislative body.

Mr. Andrews has fully justified the confidence of the members in electing him to this all-important position. His thorough knowledge of parliamentary procedure gleaned from his past experience as the Speaker of the House and from his long membership in this body has been of great value to all of us.

Throughout this entire session of the Legislature, when at times tensions were long and tempers were short, our esteemed Speaker has remained the one source of strength which could always be relied upon to maintain an orderly and businesslike atmosphere.

Time and time again during the session, Mr. Andrews has demonstrated that fairness and impartiality are essential ingredients of leadership. Hiram Andrews has displayed eminent fairness in every ruling he has made and his earnest desire to let every person be heard has instilled in all of us a feeling of good fellowship and a sense of pride. His honest and patient determination has been a prime factor in bringing this session to a successful conclusion; therefore be it

Resolved, That this House of Representatives hereby congratulates the Honorable Hiram G. Andrews for the success with which he has accomplished the difficult and sometimes tedious tasks of Speaker of the House of Representatives and for the position of leadership and personal popularity he has attained; and be it further

Resolved, That we, as individual members of this House of Representatives, thank Mr. Andrews for his courteous and considerate treatment of every question and objection that has been raised, for his skill in handling the affairs of the House, and for his patience with us; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk to the Honorable Hiram G. Andrews.

On the question,

Will the House adopt the resolution?

Mr. McCANN. Mr. Chairman, Members of the House and our distinguished friends who are gathered here today, in the span of a life comes to everybody an opportunity to present to the public and to his fellow citizens those things that they believe to be beneficial to all mankind.

Many years ago our beloved Speaker came to Harrisburg, first as a newspaperman, and then as a Member of this House. In the ensuing years this gentleman has fought, at times, a single battle. A battle in which he was the lone individual in this House fighting in the wilderness to uplift the House that he loved so much.

As years have gone by the accomplishments of this, our beloved Speaker, have been many. Goals that were talked about years ago have come to be a realization in the operation of the House today, a goal in which lies at the end of the rainbow the task of making the operation of this House, one, easier, two, more helpful to all concerned and three, for a better understanding among all of the Members of the House. This goal has never been reached, but this man from Cambria has always fought on to come to the end of that goal.

It is said many times that tradition itself says that the Speaker shall come this way two times in his life. This Speaker of ours has come forth two times, and each time he has come back and fought for those things which were

beneficial to all the Members of the House and to this body. It certainly is fitting that today in 1959 another accomplishment in the goal of this wise gentleman from Cambria has come to be a realization in the operation of this House. I, as a young man, and many others who have come here for the first time, quite well realize that the esteemed knowledge stored away in parliamentary procedures of this Speaker of our House could some day, perhaps, be written in a book, and many of us feel that it would take a volume or volumes to complete the entire story.

The Resolution that we are to adopt here today, regarding our beloved Speaker is a Resolution that really says from all of us who are a part of this House, Mr. Speaker, you have always reached for that goal at the end of the rainbow, may you never reach that goal, always reaching forward and onward in help to your fellow Members. May you, as the days pass on, always have nothing but pleasant memories of our association with you, both as a Member and a Speaker here in the halls of this House, for better than two decades.

Mr. Chairman, on behalf of the Members of this House we would like to present to our beloved Speaker, the esteemed token of our friendship, the engraved gavel.

Mr. A. W. JOHNSON. Mr. Chairman, during the many years the Speaker has been a Member of this House he has been a dominant force among us. He has made the House his life and career and has always kept the ideal of service and good government before him. We have many traditions in this House. One, of course, is the presence of the mace. It is a symbol of authority and the emblem of peace and order.

Aside from its appointed purpose to preserve peace and order, it demonstrates to all the respect which our House of Representatives has for its heritage and its own law. It is the guarantee that those who govern are also governed.

The gavel also has a symbolic significance. The passing of the gavel from one Speaker to another always marks the changing of an established order. Generally it has been brought about by the will of the people, who in the previous election decided which part shall be the majority.

After the gavel has passed to the new Speaker, and the Session proceeds, the use of the gavel determines the nature of the Session. It is the instrument used to call the Session to order. Its poundings restore quiet and make for calmness and serenity.

The wielder of the gavel also has another power—that of recognition—which in any legislative body is a strong and mighty weapon.

It follows then that the person so honored as the one who wields the gavel should appreciate the full meaning of its use.

He should be kind yet forceful, considerate yet firm, amiable yet dignified. By instinct, training and experience he should always uphold the traditions, dignity, respect and greatness of this House.

Our Speaker is such a man. Through this long and trying Session our Speaker has guided us to our closing days with skill and firmness.

Presenting the gavel to the Speaker reminds me of the story they tell about the "gypsy Judge" who copied a slogan from that TV show, and had a card made up on

which he placed the slogan "Have gavel, will travel." May the Speaker not travel, but stay with us a long, long time.

Gavels will be presented, will be broken, will pass from Speaker to Speaker. Speeches will be delivered, the work of the Sessions yet to be will be completed. But how we strive for and carry out, preserve and protect the ideals of liberty and justice to all will be the test of achievement.

I want to congratulate the Speaker on this day.

Mr. DEVLIN. Mr. Chairman, although sometimes a person making an introduction or a presentation will tritely use the expression I wish to state with the utmost sincerity and with the humility befitting a sophomore, that I am truly honored and privileged to have been selected to present our gift to the Speaker.

Accordingly, I request your premission to direct a few remarks to Mr. Andrews.

Mr. Speaker, on behalf of all your colleagues in this House, I wish to express the gratitude and appreciation of all the Members for your patience and understanding during the time we have been in session; for your counsel and advice during conferences in your office and elsewhere in and around the Capitol, and also for the guidance and counsel afforded in your epistles so aptly entitled "Dispelling the Fog." This publication has been a wonderful source of legislative history, philosophy and the art of legislative accomplishment. In my opinion it has been extremely valuable to use newer Members of this House and also a helpful review for the more experienced. It was a constant source of amazement to me personally that you found time to compose these letters. I know you will waive such wonder aside and credit your fine staff and the cooperation of the other officers of the House with having accepted delegation of duties so willingly as to permit you to have ample time for this project.

We all know and appreciate your dedication to your high office, which compelled you to assume this additional function. Thus, by example and in practice you have attempted to illustrate in accordance with your many past admonitions the prescribed course of conduct necessary to command the respect this body so properly deserves. For these, and for so many other reasons we are deeply grateful.

Mr. Chairman, I would like at this time on behalf of the Officers and the Members of House to present this gift certificate to our Speaker, Mr. Andrews, for whatever purpose he may wish to use it.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The CHIEF CLERK (Joseph Ominsky). Mr. Chairman, many words of praise and education have been spoken and written about our Speaker, the Honorable Hiram G. Andrews—praise and adulation well earned and worthy of the individual—in turn, he has taken them with grace and humility.

But a wise man once said that "one picture is worth a thousand words." And speaking of pictures, we find that although the portrait of the Governor, the Lieutenant Governor and even Cabinet members line the walls and halls of this Capitol, I have yet to find a portrait of any Speaker of this House, past or present. And yet by protocol, and in point of importance, a Speaker of this House certainly rates a place in line with the Governor and Lieutenant Governor of our great Commonwealth.

So that this error of omission may be corrected, it is fitting to start now with our Speaker, who has done more than any other presiding officer to elevate the prestige and importance of this House—not that the present composition of the House requires any elevation in point of importance or prestige.

We therefore obtained the services of an artist to paint the portrait of Hiram G. Andrews, our Speaker, to take its rightful place in the Halls of this House so that the present generation as well as posterity will remember what the countenance of an outstanding and dedicated public servant looked like.

May Hiram G. Andrews continue to gaze upon his portrait for many, many years to come, and remember that all of us have a deep affection, love and respect for a devoted citizen of this Commonwealth.

Mr. Speaker, please accept this portrait from all of us with our sincere admiration.

The SPEAKER. I have not had the opportunity to ascertain whether anyone would recognize the portrait, and I certainly would not recognize myself in the mirror of the words that have been spoken. It is pleasant to hear them even if you know they are not all true.

There are some people in Pennsylvania who do not have a very high esteem for the Members of this House, but there are communities in Korea, in Japan, in Greece, in Germany and in various parts of South America where the name of the Pennsylvania House of Representatives is revered.

For a couple of years various Members of the House have joined with me in sending CARE packages to various parts of the world.

I want to read to you one brief letter that comes from Bogota, Columbia. It's from a woman. She writes:

"To the Honorable Members of the Pennsylvania House of Representatives:

For you I burn candles in my heart.

Although I am very poor and simple, I wish to send to you my fervent wishes for your health and eternal happiness.

I am so happy to receive such a wonderful help for my poverty from unknown friends who are far away, who found out about my poverty and my tragic life. I want to thank you with all my heart in the name of my poor and innocent children, and I pray to Heaven that your kind organization that is made up of men of good will will receive the blessings of God on each step that they may take in the days to come.

That's just one letter. I have another letter from a boy sixteen in Germany who says that he had no friends, nobody cared for him; he was at the end of his line and he contemplated ending it all, and that the package came and he found that there was someone somewhere who cared. And he writes, a year afterwards, a letter of thanks.

You have a lot of friends in Korea. If any of you get licked in your districts, and you want to keep in the legislative circle, there are villages in Korea where you can go, and say you were a Member of the Pennsylvania Legislature, and you will be elected.

Now here's a boy, Tran Chan Lor; he writes a letter in Chinese script. Another boy, Fok Tsai Kai. I could read you volumes of letters.

As I say, Members of this House have joined with me in sending these CARE packages. I want the privilege

of using the gift you have given me tonight to add to the sum that we usually send abroad.

You know I am—I hope I'm not taking too much time—one of the most fortunate men in the world.

I have a tractor for my garden that you gave me; I have a Hi-Fi in my house for music; I have a television in my house for entertainment; I have an easy chair; I have more books than I'll ever be able to read; I have a home; I have clothes enough to last me the rest of my life—they will wear longer than I will; I have a wife who scolds me and chides me, and when I am in trouble, she is very, very tender. There isn't anything that I need or that I want. My cup is full and overflowing. And I have the friends in this House. So you will join with me, by means of this gift certificate you have given, to carry a message in the name of the Pennsylvania House of Representatives to distant parts of the world, to send hope and healing to people whom you will never know, but some of whom will take the time to write and tell you what your gift meant to them.

I want to thank this House for its courtesy, for its consideration, for its forgiveness of failings that I have, and to say that as the days go by, there are other goals we must achieve. We will work together during the days that we have, in spite of the journalistic astigmatism that beclouds the scene. We will establish the fact that we are the Commons, we are the protection against the usurpation of the court; we are the protection against the overwhelming power of the executive; we are the protection against the notions that come and go in the heads of departments that want to grow too far.

We are not the House of Lords; we are the House of Commons. And it took a long time and great way to bring the House of Commons to the point where it could at least be equal, if not indeed veto—the House of Lords. May history repeat itself in Pennsylvania.

The CHAIRMAN. Mr. Speaker, on behalf of everyone present I want to say that I have been deeply moved by the words that have just gone into the record of the Pennsylvania House of Representatives.

The Chair recognizes the lady from Philadelphia, Mrs. Varallo.

RESOLUTION

CONGRATULATING MAJORITY LEADER

Mrs. VARALLO offered a resolution which was read by the Chief Clerk as follows:

In the House of Representatives, November 16, 1959.

Whether his party be in the majority or in the minority, there is one man in our midst who has proven his capability to conduct himself and present his party's news in such manner as to hold the admiration and respect of us all.

Stephen McCann has throughout this Session of the General Assembly served tirelessly, faithfully, and with outstanding ability as the Majority Leader of the House of Representatives. His honesty, friendliness, straightforwardness and his even temper have enabled him to discuss matters of importance with persons of diverse opinions and to reach mutually satisfactory solutions. These qualities have earned for Steve well merited friendship and appreciation of the entire membership of the General Assembly.

As Majority Leader, Steve McCann has industriously faced the task of maintaining a clear view of the facts and he has demonstrated a congenial spirit which has

made it possible to disagree on issues while maintaining strong personal ties of friendship. He has continuously displayed those qualities of leadership with which very few are endowed; therefore be it

Resolved, That the House of Representatives congratulates Stephen McCann for the wonderful job he has done as Majority Leader. He has represented his party with dignity and honor and he has been a credit to all of us; and be it further

Resolved, That as a small token of the respect and friendship of the membership of this House of Representatives, the Chief Clerk is hereby directed to transmit a copy of this resolution to Mr. McCann.

On the question,

Will the House adopt the resolution?

Mrs. VARALLO. Mr. Chairman and Members of the House, the resolution which I have just presented reflects the sentiments of the Members of the House of Representatives.

During the past months we have all met here for deliberation. Today is a special occasion, and for me it is a double "swan song." For that reason I am grateful for the opportunity of introducing this resolution on behalf of our Majority Leader, Stephen McCann.

Many are here who witnessed the convening of the Legislature last January. At that time if they did not already know him they eventually came to know a young man from Greene County, Steve McCann. Young in years, but old and strong in experience. He has served tirelessly and ably. He has been conscientious, aggressive and exceedingly fair in his dealings with the Members, and many other persons who contacted him. His sense of humor and affability helped to carry him over many rough spots during this Session.

Most of his Sundays were spent in Harrisburg, burning the midnight oil, endeavoring to develop a legislative program acceptable to the Members of the General Assembly and to the citizens of the Commonwealth. His was not an easy task, and I am sure we all agree he acquitted himself with distinction.

Were we to be in Session on Thanksgiving Day, November 26, we would have the opportunity of congratulating him on his birthday. As this will not be the case, may I therefore, Steve, wish you a very happy forthcoming birthday from the Membership of the House of Representatives and your many friends.

Although much is being said about the time Steve has spent in Harrisburg in performing his arduous duties, we would be remiss if we did not mention that a vote of thanks is due Mrs. McCann. Her cooperation and understanding were helpful in making it possible for him to give us so much of his time.

Now that the Session is nearing to a close, he will have more time to spend with his son, Stephen, and his new daughter, Trissa Ann, who is just a few months old.

Mr. Chairman, in closing, I think I express the sentiments of the entire Membership when I say that we all appreciate Steve's integrity and his ability to do big things and take setbacks in their stride.

God Bless you, Steve, and may you continue to go to greater heights.

Mr. A. W. JOHNSON. Mr. Chairman, in the so-called dying days of this 1957 Session of the General Assembly—'59, I mean—that is about as bad as the referral to Mr. Andrews fighting for a short-business-like session. I thought I had a corner on that phrase.

I am glad to stand at this microphone and say some nice words about Steve McCann, our jovial Majority Leader. I have been around here now long enough that I can reminisce a little.

I remember when I was Floor Leader in the 1953 Session, Hi Andrews was the Floor Leader on the Democratic side—the Minority Leader. I can remember his saying, shaking his fist, you might say, over at me and saying, "Shake not your gory locks at us." That was really a great session.

Then in 1955, we had Al Readinger, who was Floor Leader on the Democratic side. Al was a wonderful Floor Leader and on one day showed the kind of stuff that men are made of. He was a wonderful person.

Now we are serving with Stephen McCann. He is a genial, lovable, gentle guy that can just not say "no," and in the words of the poet, he could "draw iron tears down Pluto's cheek and make hell grant what love doth seek."

They say that he is an ex-football player, and I would like to see him make an end run today; also that he is an ex-wrestler. In McKean County we call it "wrasling." I think about all he could do today would be to wrestle with a concurrent resolution. I do not believe he could muster up too much steam, but anyhow, he has been, I would say, an outstanding Floor Leader. This has been a very trying session for the Majority Leader in such an equally divided House as we have here. Circumstances day after day are enough to try the patience of a saint, you might say, and McCann has stood the test.

We have been faced with a number of difficult problems, politically painful problems. You Members of the House have to run for office every two years and know what I mean by politically painful problems. Steve has kept calm and good-natured under circumstances which have been very trying. First of all, as I said was his paper-thin majority. He had to come over to us and ask for votes which we have given, as you know. There were times when his own party has gone off the reservation. Certain pressure groups tried to put the pressure on him. Then the Senate, of course, is in the control of the Republican, party, which has not made his job too easy, but Stevie has not blown his stack, as they say. He has kept calm, held to his course and frequently disarmed us with that perpetual smile of his.

One thing you can say about him, he is a hard worker. I have never seen anybody work as hard as Steve does from morning until night. Go into his office and he has his sleeves rolled up and he is talking into that microphone. I understand he dictates so many letters it takes about four girls to keep up with the typing. That is the type of hard work that Steve has put into his office to be an outstanding Floor Leader.

I am sure that all Members on this side of the House join with me in wishing him much success in his life, and I think he has shown us that he has what it takes to do a job under trying circumstances.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

Mr. LOPRESTI. Mr. Chairman, Members of the House, I, perhaps more than any other Member of this House, have been exposed to the radiating personality of our Majority Leader. As years of service go, I am not exactly

an old-timer nor am I what the Speaker referred to as an neophyte. In my six terms I have seen leading personalities come and go in this House of Representatives. But, in many respects, our present Majority Leader has been unique. For example, I have never known a Member of this House who possessed as much drive and personal stamina as does our present Majority Leader. I, being one of those who has tried to follow as he led, found myself weary many times before the day was half over. And yet McCann kept going.

I have marvelled and I know many of you have marvelled with me at his ability to grasp in such a short period of time questions that have come up, varied questions, covering the entire field, and we have heard him discuss budgets, school problems, and even lawyers' problems with equal skill.

I have been tremendously impressed with his ability to rally support, something which amounted in this Session to almost what we term "personal diplomacy." Many of you witnessed here on this floor the close vote, when Steve would say, "Come on, Joe, get your vote in, get your vote in, get your vote in, we need your vote." And when we were short three or four or five votes when the final vote was announced, through his personal drive, through his personal diplomacy, Steve has had to come up with those particular votes.

I have been amazed, and I am sure many of you have been amazed, at his alertness. Sometimes it has been subject to comment. But, he would sit or stand here at this rostrum and sometimes even make a little whistle, or say hey, or so and so, and he has been alert to every action of this House, something at which I have marvelled. I have been in his shadow right down in front and had a chance to observe his every action.

Mr. Chairman, I would say that Mr. McCann is a big man in many respects, and when he leaves as our Majority Leader, which I am firmly convinced one day he will leave for greener, better pastures, he will have left a job which will be mighty hard to fill, a position for which we will look long and hard to find a man so devoted to duty as our present Majority Leader.

And speaking of his dictating which keeps three or four girls busy, which I know is actually the truth, in addition to that I have had the opportunity of driving down on the Pennsylvania Turnpike to see a black Dodge car pass me with the dome light on and McCann dictating letters in his automobile on his way to Harrisburg. He does not know when to quit. He has been a tremendous force on this side of the House and we wish him great success.

Mr. Chairman, on behalf of the officials, officers and Members I want to present Mr. McCann with this gift certificate for a television set and we hope you will have many hours of enjoyment with that particular set.

The CHAIRMAN. The Chair recognizes the gentleman from Greene, Mr. McCann, our Majority Leader.

Mr. McCANN. Mr. Chairman and my fellow Members of the House, and all the friends of the House, I certainly am deeply touched this afternoon by the kind words that have been said by Mr. Lopresti, Mrs. Varallo and my kind friend, Mr. Johnson from McKean County.

I would like to say that Mrs. McCann and my family certainly thank you from the bottom of our hearts for this gift. We certainly hope that some day the wish of my

wife will certainly come true that I will come home to enjoy this wonderful gift. Thank you.

RESOLUTION

CONGRATULATING MINORITY LEADER

Mr. TOMPKINS offered a resolution which was read by the Chief Clerk as follows:

In the House of Representatives, November 16, 1959.

During the session of the General Assembly, the spirit of cooperation was essential since neither party had a clear cut majority and each had to bend a little in order to achieve a legislative program. The Honorable, Albert W. Johnson, as the Minority Leader, has served tirelessly, faithfully and with outstanding ability in this capacity.

Although this is the first time Mr. Johnson has served as Minority Leader, his thorough knowledge of the law and the workings of our ever complex system of government has made him one of the most outstanding leaders to ever grace our halls with his presence. His past experiences as Majority Whip in 1951, Majority Leader in 1953, Minority Whip in 1955 and Majority Leader again in 1957 were evident this session as he led his party through the difficult tasks that faced all of us.

"Al" Johnson has again proven himself to be capable of the duties that were imposed upon him. As we all know, these duties require sincere devotion and unselfish giving from a deep reservoir of intelligence and understanding. The fact that Mr. Johnson carried out his duties so well has gained for him the admiration and respect of every member of this legislative body; therefore be it

Resolved, That the House of Representatives offers their sincere and heartfelt congratulations to the Honorable Albert W. Johnson for a job well done as an able and capable Minority Leader; and be it further

Resolved, That a copy of this resolution be given to Mr. Johnson by the Chief Clerk as a token of the admiration and friendly esteem in which he is held by each member of this House of Representatives.

On the question,

Will the House adopt the resolution?

Mr. TOMPKINS. Mr. Chairman and Members of the House, you know and I know that he is a nice guy. You know and I know that he has been the good shepherd of the Republican Members of this House for quite some time. You know and I know he has never been afraid to tackle any problem or job no matter how great or how small and has won the appellation of "fearless." You know and I know that among his favorite tunes in songs are, I am forever counting noses and "we ain't got a barrel of money, we may be ragged and funny, but we travel along, singing a song side by side." To prove it he brings along his mandolin and plays it for you and this afternoon with Steve McCann and their respective secretaries. You know and I know that as a country lawyer and as a Member of this House for seven sessions he has acquired a knowledge of the law and lawmaking and of the operation of state government equal to any person in this Commonwealth. Unfortunately, not quite enough people in this Commonwealth knew on November 3rd what you and I know. Even tempered, of a leveling and restraining hand, he has always displayed qualities of good leadership, and when someone throws sand in his eyes he comes out of his corner a fighting man.

Al, as he is better known, has been and is a good leader. He is an outstanding Legislator and would have made his mark as a judge. We all feel that Al is experienced and qualified for better things. We all hope that time will so reward him.

Mr. McCANN. Mr. Chairman, in the 1959 Session of the General Assembly, in my position as Majority Floor Leader, I certainly can say that I learned to know the gentleman from McKean, Mr. Johnson, far differently than any other relationship would have permitted in the years that I have been here before when Mr. Johnson was a Majority Leader, and held that position on the part of his Party.

I have found over the months that the gentleman from McKean has certainly been an outstanding gentleman in fulfilling the obligation of passing some legislation for the betterment of all the people of this Commonwealth, and trying to fulfill the obligation of providing votes which were lacking on the Majority side for passing necessary legislation that had to be passed. I know the problems that confronted him in fulfilling these obligations; I know of the numerous times conferences were held throughout the weeks and Sunday nights in fulfilling these commitments and working out a sound legislative program.

I am well aware that this fine gentleman from McKean County, Mr. Johnson, who in the company of his wife many times at the hotels in this city, when we had an opportunity to discuss important legislative programs, always had a fine sense of responsibility and a solution to very touchy problems. He is an attorney, a very good attorney, and his wisdom in giving to us recommendations as an attorney was certainly most helpful time and time again.

The complete cooperation from his office over the months has absolutely been amazing in fulfilling the legislative responsibilities of the daily Sessions of the House. He has always been willing, always able, and always has upheld the position of his party with absolute admiration of the Members on our side of the House who were disagreeing with his position, but yet his presentation was certainly an asset to the position he was taking.

This gentleman from McKean, Mr. Johnson, is certainly a man whom I like to call my friend, for he certainly has fulfilled far beyond the requirements of a friend, an outstanding Floor Leader who has fulfilled an outstanding job in a very difficult legislative Session. It certainly has been a great pleasure for me to come to know this gentleman so much better and to enjoy and admire and respect the position that he has taken. To him and to his family, I wish him every wonderful success, and I am confident that he will continue to lead his party in a very diligent, admirable position in fulfillment of his responsibilities.

On the question recurring,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

Mr. LIPPINCOTT. Mr. Chairman, it has been a source of great personal satisfaction and pleasure to me, during the last two sessions of this Legislature to have been given the privilege of sitting next to Al Johnson, both when he served as a Majority Leader and when he served as a Minority Leader.

I can say sincerely that the qualities that Al has shown have been to me most remarkable. I will not talk about his abilities as a lawyer, his ability in speech-making, and his other qualities, such as his vast knowledge, and I mean this sincerely, of our state government, but, I would like to say just a few words on more or less a personal basis.

I have, as I said, been sitting next to Al during this Session and I might say it seems to me the task, with all due respect to the Majority Leader, of Minority Leader is in many ways much more difficult. It is frustrating, it is a thankless job for the most part. It is a job where you have to learn to roll with the blows because of times you do not know what is coming. I can say sincerely I have never seen Al lose his composure or become ruffled at any time during this long Session.

I would like to say also that I have seen Members of this House from both sides of the aisle come to Al on numerous occasions asking advice or help. Al listens to everyone sympathetically, he treats everyone with kindness, and I think he sincerely tries to help everyone regardless of politics. I think these qualities that I have mentioned are really, perhaps, more important than being a good leader and merely being able to speak well, which, of course, I said Al can do, as well as the other things.

Al, on behalf of all the Members on both sides of the House and the Officers of the House, I would like to present to you and to your good wife this gift certificate for a rug of your choice.

The CHAIRMAN. The Chair recognizes the gentleman from McKean, Mr. Johnson, the Minority Leader.

Mr. A. W. JOHNSON. Mr. Chairman, Members of the House, I want to thank you from the bottom of my heart for this lovely gift. It certainly has been a pleasure to serve in this 1959 Session of the General Assembly with all of you wonderful people, and I want to again thank you very much.

Before I sit down I would like to have my good wife stand. She has been very understanding in the trying days in the life of a Legislator. So if Mrs. Johnson would please stand I would like to have you meet her.

Again I want to thank you very kindly for this gift.

The CHAIRMAN. At this time the Chair wishes to thank all present for their marvelous attention. I want to assure you that the remainder of the program is quite short and we would appreciate the same kind of courtesy.

Mr. FILO. Mr. Chairman, ladies and gentlemen of the House, our distinguished and welcome friends. It is my task to introduce a woman Member of our Assembly. It is rather hard to introduce a woman. You have to select your words with such infinite care. For example, you may call a woman a kitten, but you must not call her a cat.

You may call a woman a mouse, but definitely not a rat!

You may call a woman, as a term of endearment, "duck," but you simply must avoid "goose"!

You may, and I recommend to you gentlemen, greet your wife in the morning with a cheery: "My dear, you are a vision," but please, oh please, never say, "My dear, you certainly are a sight!"

But men are queer, too. They say the main difference between man and beast is man's brains, but there the difference ends, because man is lionhearted, chicken-livered, pigeon-toed, busy as a bee, sly as a fox, blind as a bat, gentle as a lamb, drunk as a hoot owl, stubborn as a mule, strong as an ox, vain as a peacock, happy as a lark, or chazy as a loon—depending upon your particular point of view.

Mr. Chairman, I am greatly honored in having been selected to make the presentation of a gift to a most gracious lady our Majority Whip, the Honorable Mary

A. Varallo of Philadelphia. This beautiful House of Representatives has housed many outstanding whips—however, Mary Varallo, I believe is the first Member of her sex to hold this high position of the Pennsylvania General Assembly.

I suppose that we, the male Members, have to agree that there is a place for women other than in the kitchen and home. I recently read a quotation, it said, "Every man who is high up likes to think that he had done it all by himself, and the wife smiles and lets it go at that." I would add where would some of us be, or do without the help and prodding of our own wives?

So, it has been with our Majority Whip. We looked forward to numerous occasions when she would prod us into voting and be in our seats for important measures that might be before the House.

This was done without animosity due to her feminine charm. Mary's talents did not end after the chores in the House.

She was most active in the Democratic State Womens Guild and especially in Philadelphia. Her work was rewarded by being elected as the first woman Council Member in the city of Philadelphia's history. Not to forget the fact that she was recently voted as one of the 10 outstanding Women of Pennsylvania.

Verily, she is the quintessence of an amanuensis. Since you may not have the time to look up these words, as I did, I would simply tell you what they mean in current slang of our children that Mary Varallo is on the beam, she's in the groove, and she's cooking with gas.

The Honorable Mary A. Varallo was elected to this House in 1944—re-elected in 1948 and continually served this House to this date.

There is no doubt that in January of 1960 her absence in this Assembly will be noticeable, as she takes up her duties in another field.

We wish her success.

Mary Varallo, on behalf of the Officers, Members and friends I wish to present you with this gift certificate of a television set.

The CHAIRMAN. The Chair recognizes the lady from Philadelphia, Mrs Varallo, the Majority Whip.

Mrs. VARALLO. Mr. Speaker, I want to thank you very, very much for this lovely gift, a television set.

It has really been a privilege for me to serve in this House for so many years, and I am going to miss this House when I don't come back anymore as a Member. When I do come back to Harrisburg, it won't be as a Member but only as a visitor. You have heard that I was elected in Philadelphia as a Councilman-at-large, and I will serve in that capacity.

But I am taking back to Philadelphia with me many, many happy memories of the good friends I have made on both sides of the House and of the many wonderful people I have met here in Harrisburg during my tenure in office.

Again I want to thank you. I really am not going to say good bye, I am going to say a rivederci.

Mr. DAVIS. Mr. Chairman, it is my privilege as part of our traditionally significant closing exercises, to say a word about a man who since early June has so capably served our side of the House as Minority Whip.

Taking over the duties in midstream, Ed Tompkins, wholly in character, has given the task of Assistant

Minority Leader a devoted performance of teamwork, firmness and enterprise. During the absence of the Minority Leader, Mr. Tompkins acquitted himself well in the top command post.

He has come to his position of parliamentary responsibility with a record of impressive accomplishment. Many years a successful lawyer, for several of his seven legislative terms the Chairman of the House Judiciary Committee, he was recently a Member of the important State Constitutional Revision Commission.

Mr. Chairman, we his House colleagues, in the vernacular of the sea, his shipmates sailing upon the turbulent waters of legislative endeavor, are proud of the record of the distinguished gentleman from Cameron.

Moreover, we approach this moment of closing-exercises recognition of our Minority Whip with a warm feeling of affection. There is kindled within us a sense of trust in the high courage and the resolute, honest personality which tends to overshadow the great and generous heart of Ed Tompkins.

So now, Mr. Chairman, on behalf of the officers and Members, I am privileged to present to you, Ed, and to Mrs. Tompkins, this gift certificate for a Hi-Fi set.

The CHAIRMAN. The Chair recognizes the gentleman from Cameron, Mr. Tompkins, the Minority Whip.

Mr. TOMPKINS. Mr. Chairman and Members of the House: Thank you, Admiral Davis, for those very kind and generous words. Harry Price just whispered in my ear, "He had better stop before we get seasick."

And thank you, Members of the House, and our friends of the unnamed audience, for the presentation to me of such a wonderful token of remembrance.

Several summers ago it was my pleasure to take, with my wife, a one week schooner cruise off the coast of Maine. We put into some port and anchored there every night.

I well remember at one of these ports a retired army surgeon, as a pastime and hobby, built and operated what became known among the seafaring travelers as the Hi-Fi House. Passengers on the boats that anchored at the port very anxiously took advantage of an evening of musical enjoyment on the latest hi-fi equipment at the generous hand of this retired army surgeon. He loved people, and he loved to make them happy.

As I shall set up this beautiful gift in my home; and as I shall recline in my favorite chair, with my family and friends gathered about me, I may find myself reminiscing as follows:

To the strains of "Hallelujah" I shall recount the enthusiasm and joy with which our genial Majority Leader always received the motion to adjourn promptly at 7:30.

"The Parade of the Wooden Soldiers" will conjure up memories of the Philadelphia Democratic Delegation.

Yodeling Alpine Swiss style, will ever echo and re-echo the soft and gentle NO's of the gentleman from Blair, Mr. Auker.

With the melody of "My Wild Irish Rose," I can always recount the invitation of the gentleman from Philadelphia, Mr. Dougherty, to dance an Irish jig with some Republican somewhere outside of the Hall of the House.

"Kitten on the Keys" will bring to mind the entire gamut of legislative manenvering of the gentleman from Philadelphia, Mr. Schwartz, the day we considered Senate Bill 405.

"The Lost Chord" will forever hereafter have a label of 28 million dollars on it.

"The Stein Song," can take me into so many places all over Harrisburg and vicinity with so many different groups, to discuss so many different subjects, who will view with alarm, or extol the amelioration of society and mankind as it shall serve the interest of those filling the stein.

"Where Is My Wandering Boy Tonight," is the chant I will hear from the lusty throats of the side-line legislators and legislative engineers as the vote on their bill approaches.

I shall never see a poem as beautiful as a tree sung by the Great Dane.

"Where did you go?-out. What did you do?-nothing." The closing chorus by the Fourth Estate.

And so while listening to the strains of "Day is Dying In The West" the vision of our venerable Speaker passes before me soliloquizing in this fashion:

My hair is white and I'm almost blind,
The days of my youth are far, far behind.
My neck's so stiff, can't turn my head,
Can't hear half that's being said,

My legs are wobbly, can't hardly walk,
But glory be, I can surely talk.
And this is the message I want you to get,
I'm still akickin', and I ain't dead yet.

And so you, my friends, when you shall be a traveler my way, drop anchor, rest awhile, drink and break bread with Mrs. Tompkins and me before continuing on your journey. The door to my Hi-Fi-House will never be locked.

Mr. P. G. MURRAY. Mr. Chairman, will the Honorable Joseph Ominsky please come forth.

The CHAIRMAN. Will the Chief Clerk present himself to the Co-Chairman.

Mr. P. G. MURRAY. On behalf of the Officers and Members I wish to present you Mr. Ominsky, with this gift certificate for an airplane reservation for a marvelous vacation.

The CHAIRMAN. The Chair recognizes the Chief Clerk of the House, Mr. Joseph Ominsky.

The CHIEF CLERK (Joseph Ominsky). Mr. Chairman, unexpected as this presentation is now, but mindful of the fact that all of us must bow to tradition, I accept this gift with the knowledge that the trip was not meant to send me away because I did not do a job well, but because the work was well done, so well that my energies have been exhausted and therefore I should take a long trip to recharge.

On behalf of myself and my lovely wife over there, I want to thank all of you, and say for her that this trip will make up for the lost time away from her during this Session. Thank you very much.

The CHAIRMAN. Will Mrs. Ominsky please rise?

Mr. P. G. MURRAY. Mr. Chairman, will the Honorable Paul C. Moomaw present himself.

The CHAIRMAN. Will the Secretary of the House present himself to the co-Chairman, please.

Mr. P. G. MURRAY. On behalf of the Officers and the Members of this House I wish to present you with this gift certificate for a silver set.

The CHAIRMAN. The Chair recognizes the Secretary of the House, Mr. Moomaw.

The SECRETARY (Paul C. Moomaw). Mr. Chairman, Members of the House, and friends, I certainly appreciate this wonderful gift and am sure my good wife, Mrs. Moomaw also appreciates same. It will probably give me an opportunity, once the House adjourns, to eat meals at home more frequently, and enjoy them with her. As it has been for many months, I am only a week-end visitor at home, and often times not on week-ends.

I again want to thank you very much, personally and on behalf of Mrs. Moomaw who is over in the corner. Will she please rise? I am sure she likewise appreciates this wonderful gift. Thank you.

The CHAIRMAN. The Chair recognizes the gentleman from Lancaster, Mr. Murray.

Mr. P. G. MURRAY. Mr. Chairman, will the Parliamentarian, the Honorable S. Edward Moore, present himself.

The CHAIRMAN. Will the Honorable S. Edward Moore, the Parliamentarian, present himself to the co-Chairman?

Mr. P. G. MURRAY. Mr. Moore, on behalf of the Officers and Members, I wish to present you with this gift certificate for steamship tickets for your trip. This is a slow boat to China.

The CHAIRMAN. The Chair recognizes the Parliamentarian of the House, Mr. S. Eddie Moore.

The PARLIAMENTARIAN (Mr. S. Edward Moore) Mr. Chairman, at a time like this there are no words adequate to express one's feelings. Although Mrs. Moore and I deeply appreciate this gift, we value so very much more the friendships which it represents.

It was more than two years ago when, because of Mrs. Moore's illness, the trip we planned to take was postponed. Now, perhaps sometime in 1960 we may be able to take it.

Mrs. Moore is here tonight and I would like the privilege of presenting her to you.

Mr. P. G. MURRAY. Mr. Chairman, will the Honorable Martin C. Mihm present himself.

The CHAIRMAN. Will the Honorable Martin C. Mihm from Allegheny County present himself to the co-Chairman.

Mr. P. G. MURRAY. Mr. Mihm, on behalf of the Officers and Members I wish to present you with this gift certificate for a portable radio.

The CHAIRMAN. The Chair recognizes the gentleman from Allegheny, Mr. Mihm.

Mr. MIHM. Mr. Chairman and Members, I want to thank you for your thoughtful token of kindness and appreciation. It has been a great pleasure to serve you, and greater pleasure and honor to sit with you and serve with you in the House. Thank you very much.

Mr. P. G. MURRAY. Mr. Chairman, will the Honorable Adam Bower present himself.

The CHAIRMAN. Will the Honorable Adam Bower from Northumberland County present himself to the co-Chairman.

Mr. P. G. MURRAY. Mr. Bower, on behalf of the Officers and Members, I wish to present to you this gift certificate for a portable radio.

The CHAIRMAN. The Chair recognizes the gentleman from Northumberland, Mr. Bower.

Mr. BOWER. Mr. Chairman, I appreciate the gift very much. It has been an honor to work for the benefit of

every Member of the House—with you and for you. I thank you.

The CHAIRMAN. At this time the Chair would like, on behalf of the Committee, to remind all Members, and only Members, that a special memento of this Session, gift-wrapped and identical for each Member, will be available at the Chief Clerk's office tomorrow or any time the Members wish to pick them up.

Mr. O'DELL. Mr. Chairman, if Mr. Fetterolf will approach.

The CHAIRMAN. Will Mr. Fetterolf present himself to the gentleman from Erie, please.

Mr. O'DELL. This is a gift which should have been presented much earlier. Since some of you did not know it, Mr. Fetterolf was the best golfer of the entire House at the summer picnic. On behalf of the Pennsylvania Jeweler's Association, I would like to present this gift to you at this time.

The CHAIRMAN. The Chair recognizes the "Champeen."

Mr. FETTEROLF. Mr. Chairman, I would like to sincerely thank the Pennsylvania Retail Jewelers' Association, and all of you here in the House for this lovely trophy. Thank you very much.

The CHAIRMAN. At this time the Chair with deep appreciation wishes to thank the Members of the House, their friends, and anyone who has participated in the program today, and particularly I personally wish to thank the other two gentlemen on the Committee, Mr. Murray, and Mr. Stank.

I would also like to say that there will be a reception, buffet and dance, beginning approximately at 8:30 at the West Shore Country Club for Members and their guests.

I want to add an oversight which was not intentional. I want particularly to invite all employes of the House of Representatives to the West Shore Country Club tonight, and also want to thank them for the marvellous cooperation during this Session.

At this time I am very happy and pleased to present to you again the Speaker of the House.

The SPEAKER. Some of the new Members may have wondered why the gentleman from Allegheny, Mr. Mihm, and the gentleman from Northumberland, Mr. Bower, were singled out for a special mark of distinction. The old Members know.

When the question of pensions for Members of this House first began to be talked about, that movement was spearheaded and brought to fruition by the two gentlemen in question.

When the matter of increased remuneration for the Members of this House was being discussed and there were timid souls who did not desire to be identified with the idea, it was the gentleman from Allegheny and the gentleman from Northumberland who spearheaded that movement.

Another thing, there has long been a neglected group in Pennsylvania, the teachers who have been retired for quite a time who taught sometimes for forty years and stepped out of service, their retirement measly sums that range sometimes \$25 a month on up on occasion, particular cases, to \$60 a month. They have been importing this Legislature for some recognition for the years. It was the gentleman from Allegheny and the gentleman from Northumberland who spearheaded that movement

and a very sizeable sum, I think over \$3 million, is in the budget for that long-neglected group and we have those two gentlemen to thank.

There are other state employes who served faithfully who have not been accorded the recognition by way of a pension remunerant, and they too are to be remembered. The gentleman from Allegheny and the gentleman from Northumberland spearheaded that movement.

These are things that the Chair has had in mind for these many years and they could not have been realized until the gentleman from Allegheny and the gentleman from Northumberland stepped out and adopted those ideas, those works of benefaction in which there are no votes for anybody, no political fame is to be gained by it, but it was a work of compassion, a work of mercy, a work of Legislative decency and the Chair together with all the other Members of this House wants to express his personal deep appreciation for the services rendered by the gentleman from Allegheny and the gentleman from Northumberland.

May they live long, both of them, and both of them be Members of this House as long at least as I can be around, and I plan to be on the scene at least until 1980 when I want to spearhead the movement for a state guest house.

The CHAIRMAN. On behalf of the Committee and the Members, we wish to thank the Speaker for those sentiments. At this time I want to request Dr. Dengler and the House Legislative Chorus to lead all us in singing "America the Beautiful."

Mr. DENGLER. Mr. Chairman, before we sing that song, I would like the chorus to sing the Pennsylvania song, and then have them all join in "America the Beautiful."

The CHAIRMAN. Ladies and gentlemen, we wish to turn the rostrum and the big gavel back to your Speaker.

The SPEAKER. (Hiram G. Andrews) IN THE CHAIR.

Mr. McCANN. Mr. Speaker, there are only two items. I request permission to turn to page 8, bills on third reading, to recommit a bill and to amend one.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 573, entitled:

An Act prohibiting persons engaged in financing the purchase of real or personal property or of lending money on the security of real or personal property or their agents or employes from interfering with the right of any person to select an insurer of his choice providing for the giving of notice of such right of free selection prohibiting the making of a charge against any person for substituting an insurance policy of one insurance company for that of another providing penalties providing for civil and criminal remedies including damages and penalties and fine and/or imprisonment and for the loss of license of an insurance agent or broker and making the penalties and remedies concurrent and repealing inconsistent acts.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 3 (Section 2502.1), page 5, line 7, by inserting after "AND": "of."

Amend Section 3, (Section 2502.1), page 5, line 16, by striking out "(A)" and inserting: "(a)".

Amend Section 3 (Section 2502.1), page 6, line 14 by striking out "(A) AND (B)" and inserting: "(a) and (b)."

Amend Section 3 (Section 2502.1), page 7, line 3, by striking out "(D)" and inserting: "(d)."

Amend Section 3 (Section 2502.1), page 7, line 20, by striking out "OF THE SECOND CLASS WHICH MERGE OR UNITE," and page 8, lines 1 to 8, by striking out all of said lines and inserting: "which result from the merger or the union of a district of the first class A or of a district of the second class subsequent to the first Monday of July, 1961, with one or more districts of the third class or with one or more districts of the fourth class during the first year that supplemental payments are payable eight hundred dollars (\$800) per teaching unit multiplied by twice the total number of teaching units reported by the third and fourth class districts of such merged or union district for the year immediately preceding the effective date of the merger or the union and by the subsidiary account reimbursement fraction of the district of residence; for each year thereafter, eight hundred dollars (\$800) per teaching unit multiplied by the total number of teaching units reported by such merged or union district less the number of teaching units for which no payment was allowed on the first payment and by the subsidiary account reimbursement fraction of the district of residence."

Amend Section 3 (Section 2502.1), page 8, line 9, by striking out "(E)" and inserting: "(e)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection, all bills remaining on today's calendar not considered were passed over at the request of Mr. McCANN.

RESOLUTION

Mr. McCANN offered a resolution which was filed with the Clerk under the Rules.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL NO. 379

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 379 entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

And has appointed Messrs. Wolfe, Walker and Hahady a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 379 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
SENATE BILL NO. 379

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. NEEDHAM, CROSSIN and AUKER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operators's licenses in accordance therewith.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL NO. 1592

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, LOPRESTI and GUTHRIE.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. AGNEW. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 17, 1959 at 1:00 p.m. E.S.T.

The motion was agreed to, and (at 7:20 p.m. E.S.T.) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, NOVEMBER 17, 1959.

No. 112.

SENATE

TUESDAY, November 17, 1959.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. MELVIN WALPER, Pastor of Zion's Reformed Church, Ashland, offered the following prayer:

Almighty God, our Heavenly Father, Thou Who hast promised to hear us when we call upon Thee in the Name of Thy dear Son, hear Thou our prayer of gratitude for all the rich blessings that come to us from Thy heart of love. We thank Thee for the joys that cheer us. We thank Thee, too, for the trials that teach us that Thou alone art our refuge and our strength, a very present help in every trouble.

We praise Thee, our Father, God, for the freedom Thou hast given us and for the dignity which that freedom brings to us. So bless us with Thy guidance that we might know what is Thy perfect and acceptable will and then strengthen us to do Thy will.

So direct the minds and the hearts of these Senators that they might bear their responsibilities in a way that shall bring blessing to our Commonwealth and glory to Thee, our God. Open Thou their ears, their minds and their hearts and stretch forth their hands to the cry of the needy, that in our mutual burden-bearing we may fulfill the law of Thy Son, Jesus Christ, the law of love.

Bless us, we pray, for we ask these things in Jesus' Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

DELEGATION REPRESENTING THE COUNCIL OF REPUBLICAN WOMEN OF BUCKS COUNTY AND SENIOR CLASS OF WILLIAM TENNENT HIGH SCHOOL, JOHNSVILLE, PRESENTED TO SENATE

Mr. KELLER. Mr. President, I am very happy and proud this afternoon to introduce to the Senate two delegations. One is a delegation of women, representing the Council of

Republican Women of Bucks County. They are seated over to the right of the rostrum.

I would also like to present to the Senate the Senior Class of the William Tennent High School, of Johnsville, Bucks County. The class consists of 150 students, together with their supervisors, Miss Ella Rhoads, Mr. Edward Wolfe and Mr. Frank Swider.

We are very glad to have them with us today and ask the Chair to extend to them a word of welcome.

The PRESIDENT. Will the two groups mentioned please rise?

You have had the greeting of the Senate of Pennsylvania. We are very happy to have you with us and we hope that you will be most interested in the proceedings of today's Session.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE CONCURRENT RESOLUTIONS

RECALLING FROM THE GOVERNOR SENATE

BILLS Nos. 298 and 374

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 298, Printer's No. 1489, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 374, Printer's No. 401, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

The PRESIDENT. These bills will be laid on the table.

He also presented communications in writing from His Excellency the Governor which were read as follows:

APPROVAL OF SENATE BILLS Nos. 499, 812 and 1078

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed Senate Bill No. 499, Printer's No. 534, entitled "An Act to provide for the assignment of counsel in criminal cases in certain counties and for the allowance of compensation in such cases."

DAVID L. LAWRENCE.

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 812, Printer's No. 1296, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' further providing for the payments by the Commonwealth on account of courses for handicapped children."

DAVID L. LAWRENCE.

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1078, Printer's No. 1278, entitled "An Act amending the act of August 9, 1955 (P. L. 323) entitled 'The County Code' authorizing the reassessment of property in certain cases and imposing liability for county taxes upon the owners thereof."

DAVID L. LAWRENCE.

HOUSE MESSAGES

SENATE BILL No. 184 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2128), entitled "An act to define and restrict the obligation of persons engaged on, connected with, or employed by, certain newspapers or press associations, in testifying as to the source of information procured or obtained by such persons," extending the provisions of the act to include certain persons connected with radio and television stations.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

AMENDMENT TO HOUSE BILL No. 1968,

RECALLED FROM THE GOVERNOR

He also presented for concurrence, House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class A for current expenses.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 1162, entitled:

An Act amending the "City Classification Law" approved June 25, 1895 (P. L. 275), providing for the advance in classification of cities upon their increase in population.

Which was committed to the Committee on Rules.

House Bill No. 2440, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," providing that every juror shall receive mileage.

Which was committed to the Committee on Rules.

House Bill No. 2441, entitled:

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation, providing that all witnesses be paid mileage.

Which was committed to the Committee on Rules.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1640

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1640, entitled:

An Act providing that in cities and school districts of the first class real estate tax . . . not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed, under certain terms and conditions.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2028

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2028, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees; and allowing fishing in such licensed regulated fishing lakes and ponds without a fishing license.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2165

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2165, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), further regulating the application for an issuance of hotel restaurant and club liquor licenses.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2302

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 2302, entitled:

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), further regulating cash sales of milk on farms.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2322

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2322, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," providing for additional payments to certain school districts.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1592

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1592, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), increasing the fee for the renewal of an operator's license.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1592

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 1592, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 379

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1908), entitled "The Military Code of 1949," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

and has appointed Messrs. NEEDHAM, CROSSIN and AUKER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 10, Printer's No. 10;
Senate Bill No. 22, Printer's No. 22;
Senate Bill No. 74, Printer's No. 279;
Senate Bill No. 132, Printer's No. 141;

Senate Bill No. 216, Printer's No. 807;
Senate Bill No. 297, Printer's No. 321;
Senate Bill No. 436, Printer's No. 1355;
Senate Bill No. 654, Printer's No. 708;
Senate Bill No. 661, Printer's No. 715;
Senate Bill No. 662, Printer's No. 716;
Senate Bill No. 827, Printer's No. 960;
Senate Bill No. 853, Printer's No. 1464;
Senate Bill No. 873, Printer's No. 1020;
Senate Bill No. 899, Printer's No. 1055;
Senate Bill No. 911, Printer's No. 1514;
Senate Bill No. 925, Printer's No. 1088;
Senate Bill No. 933, Printer's No. 1096;
Senate Bill No. 1000, Printer's No. 1293;
Senate Bill No. 1015, Printer's No. 1196;
Senate Bill No. 1094, Printer's No. 1363;
Senate Bill No. 1095, Printer's No. 1364;
Senate Bill No. 1096, Printer's No. 1365;
Senate Bill No. 1109, Printer's No. 1319;
Senate Bill No. 1121, Printer's No. 1344;
Senate Bill No. 1168, Printer's No. 1414;
Senate Bill No. 1169, Printer's No. 1415;
Senate Bill No. 1170, Printer's No. 1416;
Senate Bill No. 1171, Printer's No. 1417;
Senate Bill No. 1172, Printer's No. 1418;
Senate Bill No. 1181, Printer's No. 1443;
Senate Bill No. 1226, Printer's No. 1539;
House Bill No. 1640, Printer's No. 1827;
House Bill No. 2028, Printer's No. 1830;
House Bill No. 2165, Printer's No. 1841;
House Bill No. 2302, Printer's No. 1831;
House Bill No. 2322, Printer's No. 1857;
House Bill No. 2377, Printer's No. 1717;
House Bill No. 2389, Printer's No. 1719;
House Bill No. 2390, Printer's No. 1720;
House Bill No. 2391, Printer's No. 1747; and
House Bill No. 2403, Printer's No. 1821.

REPORTS FROM COMMITTEES

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 672, entitled:

An Act amending "The Fish Law of 1925," approved May 2, 1925 (P. L. 448), authorizing the use of money in the "fish fund" for an engineering survey of the Susquehanna River.

Mr. McCREESH, from the Committee on Elections, reported as committed, House Bill No. 1979, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), requiring county election boards to submit additional reports with respect to registered electors.

He also, from the Committee on Elections, reported as committed, House Bill No. 1981, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) providing for the deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 868

Mr. PROPERT. Mr. President, I submit the report of

the Committee of Conference on Senate Bill No. 868, entitled:

An Act amending the title and act, of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars; increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

The PRESIDENT. The report will appear on tomorrow's Calendar.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1861

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

The PRESIDENT. The report will lie over for printing under the rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

Mr. RIPP. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments on account of pupil transportation to certain additional school districts.

The PRESIDENT. The report will lie over for printing under the rules.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sally L. Schmidt, Pittsburgh, Allegheny County, for appointment as a member of the Board of Trustees of the Pennsylvania Training School at Morganza, from October 30, 1958 for the term of four years, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Stapleton, 244 Reynolds Street, Kingston, Luzerne County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl Fetherman, Newfoundland, Wayne County, for appointment as Justice of the Peace in and for the Township of Dreher, Wayne County, to serve until the first Monday of January 1962, vice Robert Baughan, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman L. Cooper, Box 305, R. D. 1, Coal Center, Washington County, for appointment as Justice of the Peace in and for the Borough of Long Branch, Washington County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBERS OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Committee to State Council of Education, until terminated:

Mario C. Celli (Architect), 336 Fifth Avenue, McKeesport, Allegheny County.

Clifford L. Coleman (Architect), 400 Main Street, Landisville, Lancaster County.

John Hunter, Jr. (Architect), 3601 Fifth Avenue, Altoona, Blair County.

John S. Carver (Architect), 110 Montgomery Avenue, Bala Cynwyd, Montgomery County.

Edwin W. Werle (Architect), 407 Commerce Building, Erie, Erie County.

Ralph D. Horsman (School Administrator), Superintendent of Schools, Mt. Lebanon Township School District, Pittsburgh 28, Allegheny County.

John H. Linton (School Administrator), Superintendent of Schools, Penn Hills School District, Pittsburgh 35, Allegheny County.

John M. Hickey (School Administrator), Superintendent of Schools, Erie City School District, Erie, Erie County.

Harry E. Seyler (Educator), Principal, Hannah Penn Jr. High School, York, York County.

Michael Duda (Educator), President, California State Teachers' College, California, Washington County.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 871, entitled:

An Act amending "The Vehicle Code," approved May 1, 1929 (P. L. 905) further regulating school bus lighting equipment.

He also, from the Committee on Rules, reported as amended, House Bill No. 1178, entitled:

An Act promoting safety by regulating vessels water skiing aquaplaning and similar activities upon the waters of this Commonwealth conferring powers and imposing duties on the Department of Revenue the Pennsylvania Fish Commission and the Pennsylvania Navigation Commission prescribing penalties making an appropriation

from the General Fund to the watercraft safety division account of the Fish Fund and providing for the reimbursement of the General Fund.

He also, from the Committee on Rules, reported as amended, Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182), entitled "Chiropractic Registration Act of 1951," permitting students in their final semester of chiropractic college to be admitted to the standard examination.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1233, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing names of State Teachers' Colleges.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by fixing a time limit upon the duration of regular sessions and limiting the power of the Governor to convene special sessions.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1242, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees Retirement Code of 1959," redefining State employee with respect to officers and employees of certain hospitals leased by the Commonwealth.

He also, from the Committee on Rules, reported as committed, House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183), entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation, shall be legal investments for certain corporations and certain funds," permitting mutual life and fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

He also, from the Committee on Rules, reported as committed, House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employees retirement system in counties of the third class; . . ." extending the provisions of the act to include certain per diem employees.

He also, from the Committee on Rules reported as amended, House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate.

He also, from the Committee on Rules reported as committed, House Bill No. 1971, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in certain hotels in cities of the first and second class, under certain conditions.

He also, from the Committee on Rules reported as committed, House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the

Commonwealth in counties of the third class; to provide the time of paying the same; and to repeal certain acts.

He also, from the Committee on Rules reported as committed, House Bill No. 2150, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

He also, from the Committee on Rules reported as amended, House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commisioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University State Teachers' Colleges and Universities receiving State aid.

He also, from the Committee on Rules reported as amended, House Bill No. 2193, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

He also, from the Committee on Rules reported as committed, House Bill No. 2260, entitled:

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), providing for levying assessment and collection of taxes by certain independent school districts.

He also, from the Committee on Rules reported as amended, House Bill No. 2261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the levying and collection of taxes by certain independent school districts.

He also, from the Committee on Rules reported as committed, House Bill No. 2277, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

He also, from the Committee on Rules reported as committed, House Bill No. 2314, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission; removing certain limitation with respect to moneys in the Historical Preservation Fund, and creating certain moneys collected by the commission to such fund.

He also, from the Committee on Rules reported as committed, House Bill No. 2316, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

He also, from the Committee on Rules reported as committed, House Bill No. 2414, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing for payment to posts of the Italian-American World War Veterans of the United States, Incorporated.

He also, from the Committee on Rules reported as committed, House Bill No. 2417, entitled:

An Act amending the "Housing Authorities Law," approved May 28, 1937 (P. L. 955), providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

Mr. CHAPMAN, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 663, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws" providing for minimum compensation and increments for administrators of State Teachers Colleges increasing the minimum compensation and increments of other employes and providing for the qualifications of certain employes and making an appropriation.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, now that the captains and the kings have separated, in the words of Kipling, I will make my statement.

When the two bills I am about to introduce are offered at this late hour, it may seem to be an empty gesture. However, I am depending upon the wisdom, circumspection and speed of the Rules Committee, and I still hope to have them enacted.

One of the bills deals with a colorful military figure in Pennsylvania; namely, Judge Vincent A. Carroll, President Judge of the Court of Common Pleas, No. 2, in Philadelphia. He is now a Brigadier General in the National Guard Reserves.

This bill is introduced on behalf of Senator Chapman, Senator Donolow and myself, praying for the promotion of President Judge Carroll to the rank of Major General, Retired, in the National Guard.

The other bill, Mr. President, is the real piece de resistance. It deals with our own Senator Sarraf. It would confer the rank of Brigadier General upon this fine citizen soldier.

This bill is introduced on behalf of Senator Ripp, Senator Chapman and myself.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL, CHAPMAN and DONOLOW read in place and presented to the Chair Senate Bill No. 1249, entitled:

An Act conferring the rank of Major General, Retired, in the Pennsylvania National Guard upon Vincent A. Carroll.

Which was committed to the Committee on Rules.

Messrs. STIEFEL, RIPP and CHAPMAN read in place and presented to the Chair Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General, Retired, in the Pennsylvania National Guard upon George Sarraf.

Which was committed to the Committee on Rules.

DELEGATES FROM TIOGA COUNTY TO THE CONVENTION OF PENNSYLVANIA REPUBLICAN WOMEN PRESENTED TO SENATE

Mr. BERGER. Mr. President, I would like to introduce to the Senate six ladies from Tioga County. They are here as delegates to the Convention of Pennsylvania Republican Women. They are Mrs. W. E. Hill, of Wellsboro; Mrs. Rex L. Davis, of Gaines; Mrs. Wilson W. Smith, of Mansfield; Mrs. Glenn Bastian, of Mansfield; Mrs. Milton G. Peake, of Wellsboro; and Mrs. Jerome Copley, of Wellsboro.

The PRESIDENT. Will the ladies please rise?

I am indeed happy, on behalf of the Senate, to welcome you ladies from such a beautiful section of Pennsylvania.

CONSIDERATION OF EXECUTIVE NOMINATION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. BLASS, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sally L. Schmidt, Pittsburgh, Allegheny County, for appointment as a member of the Board of Trustees of the Pennsylvania Training School at Morganza, from October 30, 1958 for the term of four years, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

John T. Stapleton, 244 Reynolds Street, Kingston, Luzerne County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Earl Fetherman, Newfoundland, Wayne County, for appointment as Justice of the Peace in and for the Township of Dreher, Wayne County, to serve until the first Monday of January 1962, vice Robert Baughan, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herman L. Cooper, Box 305, R. D. 1, Coal Center, Washington County, for appointment as Justice of the Peace in and for the Borough of Long Branch, Washington County, to serve until the first Monday of January 1960, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBERS OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

October 13, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Advisory Committee to State Council of Education, until terminated:

Mario C. Celli (Architect) 336 Fifth Avenue, McKeesport, Allegheny County.

Clifford L. Coleman (Architect) 400 Main Street, Landisville, Lancaster County.

John Hunter, Jr. (Architect) 3601 Fifth Avenue, Altoona, Blair County.

John S. Carver (Architect) 110 Montgomery Avenue, Bala Cynwyd, Montgomery County.

Edwin W. Werle (Architect) 507 Commerce Building, Erie, Erie County.

Ralph D. Horsman (School Administrator) Superintendent of Schools, Mt. Lebanon Township School District, Pittsburgh 28, Allegheny County.

John H. Linton (School Administrator) Superintendent of Schools, Penn Hills School District, Pittsburgh 35, Allegheny County.

John M. Hickey (School Administrator) Superintendent of Schools, Erie City School District, Erie, Erie County.

Harry E. Seyler (Educator) Principal, Hannah Penn Jr. High School, York, York County.

Michael Duda (Educator) President, California State Teachers' College, California, Washington County.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. TAYLOR, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confar, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. BASS. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 304, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Mr. LANE. Mr. President, I call from the table Senate Bill No. 304, Printer's No. 329, which was recalled from the Governor for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 304, RECALLED FROM THE GOVERNOR

Mr. LANE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1958 (P. L. 728), entitled "Second Class County Code," providing for the creation of capital reserve funds for capital expenditures.

passed finally on October 15, 1959.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LANE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LANE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (Section 510), page 2, line 6, by striking out "municipal" and inserting: "county"; Amend Section 1 (Section 510), page 2, line 8, by inserting after "may": "annually"; Amend Section 1 (Section 510), page 2, line 9, by inserting after "the": "current."

On the question,
Will the Senate agree to the amendments?
They were agreed to.
Ordered, That the bill as amended lie over for printing.

REPORTS FROM COMMITTEE

Mr. RUTH, Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, * * * certain state officers, and the salary, and expenses of the members of the general Assembly, * * *" changing time for payment of certain portions of salary and expenses.

He also, from the Committee on Rules reported as committed, House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and Judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and juvenile Court of Allegheny County, * * *" changing the compensation of members of the General Assembly.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1213), entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 1213, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to House Bill No. 1213, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

(A voice vote having been taken, the question was determined in the affirmative.)

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

RECALLED FROM THE GOVERNOR, OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1572, Printer's No. 1825, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1822, Printer's No. 1806, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditioned appropriation beyond the calendar year of 1959 making and additional allocation and appropriation to municipalities.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 24

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 24.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 227, entitled:

An Act amending the act of July 12, 1919 (P. L. 941) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution * * *" changing provisions relating to the contents of the Legislative Journal.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,
Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 227

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 227.

Mr. KESSLER. Mr. President, I second the motion.
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 644, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 644

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 644.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |

| | | | |
|--------------|------------|---------|----------|
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 983, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 983

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 983.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amend-

ments, go over in their order:

Senate Bill No. 1093, Printer's No. 1549;
Senate Bill No. 1179, Printer's No. 1550; and
Senate Bill No. 1182, Printer's No. 1571.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the Report of Committee of Conference on House Bill No. 623, Printer's No. 1870, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which concurrence of the House is requested.

APPROPRIATION BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1508, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the use of moneys in the State School Fund of Pennsylvania for assisting public school districts and State Teachers' Colleges to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Auditor General the Superintendent of Public Instruction and the Secretary of Labor and Industry and making an appropriation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (Section 2605), page 12, line 2, by inserting after "plans": "and." Amend Section 1 (Section 2605), page 12, line 2, by striking out "and bid costs." Amend Section 1 (Section 2605), page 12, lines 3 to 9, by striking out "the" in line 3 and all of lines 4 to 9 and inserting: "of the Department of Public Instruction." Amend Section 1 (Section 2605, page 12, lines 10 and 11, by striking out "and the bid" in line 10, and "costs" in line 11. Amend Section 1 (Section 2605), page 12, line 19, by inserting after "prescribe": "applications for payments under provisions of this act shall be considered in the order in which they are filed with the Department of Public Instruction."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

APPROPRIATION BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1508, Printer's No. 1944, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILLS ON THIRD READING FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1743, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mallery, | Sarra, | Watkins, |
| Elliott, | Mahady, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1744, entitled:

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geographical survey to be made in conjunction with the Federal Government.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1745, entitled:

An Act making an appropriation to the Department

of Agriculture for expenses of a completed soil survey in the Commonwealth.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective countries of the Commonwealth.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1750, entitled:

An Act making an appropriation of Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1752, entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---------|----------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |

Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Koprivier, Jr.
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Probert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1753, entitled:

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Probert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1754, entitled:

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Chapman,
Camiel,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Probert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1755, entitled:

A Supplement to the Act of April 1, 1863 (P. L. 213) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Probert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Ruth, | Wagner, |
| Donolow, | Madigan, | Rooney, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |

| | | | |
|---|--|---|---|
| DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|---|---|

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|---|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|---|--|--|

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|---|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|---|--|--|

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|---|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|---|--|--|

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having

voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |

| | | | |
|----------|------------|---------|----------|
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Harney, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Hays, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus, supplies and equipment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President, at the risk of being a bum needle on a broken record, I must repeat, in principle, what I said yesterday in connection with the Dickinson Law School. I have nothing but admiration for the Drexel Institute of Technology, and for their fine President. My vote is simply a protest about the failure, in my opinion, to see a policy, a State policy, in regard to money for institutions of higher education. I would sort of characterize the policy that we are using, as we vote on this today, as "foot in the door" policy to which I object.

I think that my colleagues, Senator Seyler and Senator Mahady, hold in principle, this same point of view.

Mr. MCCREESH. Mr. President, before passage of this bill, I would like to take this opportunity to congratulate the Drexel Institute of Technology, located in west Philadelphia, for the excellent contribution it has made in the field of education for thousands of young men and women throughout Pennsylvania.

The passage of this initial appropriation bill to this very worthy and deserving institute will not only mean better educational opportunities for many youthful students of this Commonwealth, but also it will permit Drexel Institute to play a major role in the physical re-birth of west Philadelphia.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Harney, | Mullin, | Stevenson, |
| Berger, | Kalman, | Murray, | Stiefel, |
| Blass, | Keller, | Pechan, | Taylor, |
| Camel, | Kessler, | Propert, | Van Sant, |
| Confair, | Koprivier, Jr. | Ripp, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mallery, | Sarra, | Watkins, |
| Ehrgood, | McCreesh, | Scott, | Weiner, |
| Elllott, | McGinnis, | Shafer, | Whalley, |
| Flack, | McMenamin, | Silvert, | Wolfe, |
| Fleming, | Miller, | | |

NAYS—4

| | | | |
|-------|-------|---------|---------|
| Hays, | Lane, | Mahady, | Seyler, |
|-------|-------|---------|---------|

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

The PRESIDENT. At this time, the Chair relinquishes

the gavel to the gentleman from Allegheny, Senator Fleming.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Lane, | Ripp, | Wagner, |
| Confair, | Madigan, | Rooney, | Walker, |
| DiSilvestro, | Mahady, | Ruth, | Watkins, |
| Donolow, | Mallery, | Sarra, | Weiner, |
| Ehrgood, | McCreesh, | Scott, | Whalley, |
| Elliott, | McGinnis, | Seyler, | Wolfe, |
| Flack, | McMenamin, | Shafer, | Fleming, |
| Harney, | Miller, | Silver, | Presiding Officer |
| Hays, | | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|-----------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |

| | | | |
|--------------|------------|------------|-------------------|
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silver, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1779, entitled:

An Act making an appropriation to The Glen Mills School in Delaware County Pennsylvania.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silver, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1781, entitled:

An Act making an appropriation to the City of Harrisburg Pennsylvania.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1782, entitled:

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1894, entitled:

An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1951, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving the replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Weiner, | Presiding Officer |
| Ehrgood, | Mallery, | Scott, | |
| Elliott, | McCreesh, | Seyler, | |
| Flack, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | Silvert, | |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St Christopher's Hospital.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2222, entitled:

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Wade, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2224, entitled:

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2227, entitled:

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2228, entitled:

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I would like to make an observation, if I may.

To be very brief and to the point, I voted against the appropriation to Drexel Institute because I felt that the \$750,000 could be better spent in other places. For example, in House Bill No. 2221, we gave to St. Christopher's Hospital the sum of \$140,000 to take care of work and research on something which is of vital importance to the entire population of Pennsylvania.

In House Bill No. 2228, we gave to the Department of Welfare, for the purpose of setting up sheltered workshops for the mentally retarded, the measly sum of \$240,000 for the biennium. A part of this money which we gave to Drexel Institute could certainly be put to very good use by adding it to the appropriation in these two particular bills.

The PRESIDING OFFICER. At this time, the Chair returns the gavel to the President of the Senate.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

APPROPRIATION BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time. The purpose of the amendments is to make up for the deficiency now existing in this bill.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, may we be at ease a few moments?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

AMENDMENTS LAID ON THE TABLE

Mr. WEINER. Mr. President, I request that the amendments which I just offered be laid on the table.

The PRESIDENT. There being no objection, the amendments will be laid on the table.

And the question recurring,

Will the Senate agree to the bill on third reading?

APPROPRIATION BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2229, Printer's No. 1971, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILLS ON THIRD READING
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2303, entitled:

An Act amending the act of July 19, 1957 (Appropriation Acts page 60) entitled "General Appropriation Act of 1957" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe. |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2304, entitled:

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1957 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1957' by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-nine" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Stevenson, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2306, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2308, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Welner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Welner, |

| | | | |
|----------|------------|---------|----------|
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Welner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments and the amendments made thereto having been printed as required by the Constitution.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2311, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2312, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2313, entitled:

An Act making an appropriation to the Boy's Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment

grading and landscaping of grounds and improvement of roadways.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HOUSE BILL No. 505 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 14 of today's Third Reading Calendar, House Bill No. 505, Printer's No. 1888.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 505, entitled:

An Act amending the act of August 24, 1951 (P. L. 1304), entitled "Local Health Administration Law" extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---------|---------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |

| | | | |
|--------------|-----------------|----------|-----------|
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SENATE BILL No. 990 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 15 of today's Third Reading Calendar, Senate Bill No. 990, Printer's No. 1559.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|----------------|------------|------------|
| Barr, | Harney, | McMenamin, | Shafer, |
| Berger, | Kalman, | Miller, | Silvert, |
| Blass, | Keller, | Mullin, | Stevenson, |
| Camiel, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr. | Pechan, | Van Sant, |
| Confair, | Kromer, | Propert, | Wade, |
| DiSilvestro, | Lane, | Ripp, | Wagner, |
| Donolow, | Madigan, | Rooney, | Walker, |
| Ehrgood, | Mahady, | Ruth, | Watkins, |
| Elliott, | Mallery, | Sarra, | Whalley, |
| Flack, | McCreesh, | Scott, | Wolfe, |
| Fleming, | McGinnis, | | |

NAYS—4

| | | | |
|-------|---------|----------|---------|
| Hays, | Seyler, | Stiefel, | Weiner, |
|-------|---------|----------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REMAINING BILLS ON THIRD READING CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent

that the remaining bills on today's Third Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WEINER and BERGER read in place and presented to the Chair Senate Bill No. 1251, entitled:

An Act amending the Act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

Which was committed to the Committee on Rules.

SENATE BILL No. 1248 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 25 of today's Second Reading Calendar, Senate Bill No. 1248, Printer's No. 1590.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244), entitled "Local Government Commission law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 1323 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 26 of today's Second Reading Calendar, House Bill No. 1323, Printer's No. 627.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WEINER. Mr. President, I move that House Bill No. 1324, on second reading, entitled:

An Act requiring the approval of the Pennsylvania Fish Commission or the Pennsylvania Game Commission prior to construction of bridges roads streets or highways affecting any stream lake river or other water stocked with game fish or affecting any State game forest or park land.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 1355 CALLED UP

Mr. WEINER. Mr. President, I call up, from page 27 of today's Second Reading Calendar, House Bill No. 1355, Printer's No. 783.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. WEINER. Mr. President, I move that House Bill No. 1355, on second reading, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the reduction of a charge of larceny to a charge of shoplifting.

be re-referred to the Committee on Rules.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL No. 1473 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 27 of today's Second Reading Calendar, House Bill No. 1473, Printer's No. 1618.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1473, entitled:

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting payment of time balances in amounts varying with the expected income of the buyer.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SHAFER offered the following amendment:

Amend Sec. 1 (Sec. 13), page 3, lines 8 to 11, by striking out "but no such" in line 8, all of lines 9 to 10 and "the known cause aforesaid" in line 11.

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SHAFER. Mr. President, I ask unanimous consent that House Bill No. 1473, Printer's No. 1618, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL No. 1474 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 28 of today's Second Reading Calendar, House Bill No. 1474, Printer's No. 1967.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1474, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" further expanding the investment powers of State administrative departments boards commissions and officers to purchase certain interest-bearing obligations preferred and common stock.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "subclauses" and inserting: "The first paragraph and subclauses"; Amend Sec. 1 (Sec. 1), page 4, line 6, by striking out "ontstanding" and inserting: "outstanding".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1474, Printer's No. 1967, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection. The Chair hears none.

HOUSE BILL No. 1977 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 28 of today's Second Reading Calendar, House Bill No. 1977, Printer's No. 1850.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1977, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1 (Sec. 102), page 8, lines 16 to 18, by striking out "his lawfully designated election district" in line 16, all of line 17, and "tor" in line 18, and inserting: "the county of his voting residence".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendments:

Amend Sec. 2 (Sec. 1301-B), page 10, line 12, by striking out "officers" and inserting: "offices"; Amend Sec. 2 (Sec. 1301-B), page 10, line 12, by striking out "question" and inserting: "questions"; Amend Sec. 2 (Sec. 1302-B), page 13, line 2, by striking out "an" and inserting: "and"; Amend Sec. 2 (Sec. 1304-B), page 19, line 3, by striking out "voter" and inserting: "elector"; Amend Sec. 2 (Sec. 1305-B), page 19, line 14, by striking out "enveope" and inserting: "envelope"; Amend Sec. 2 (Sec. 1305-B), page 20, line 5, by striking out "first class mail"; Amend Sec. 2 (Sec. 1307-B), page 22, line 10, by inserting after "or": "(b)"; Amend Sec. 2 (Sec. 1307-B), page 23, line 5, by inserting after "challenges": "or if all challenges are unsuccessful".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 3 (Sec. 1853), page 61, line 15, by striking out "two years" and inserting: "one year".

It was agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. KESSLER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 1850, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

REMAINING BILLS ON TODAY'S SECOND READING CALENDAR OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the remaining bills on today's Second Reading Calendar go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 672, entitled:

An Act amending the act of May 2, 1925 (P. L. 448), entitled "The Fish Law of 1925" authorizing the use of

money in the "fish fund" for an engineering survey of the Susquehanna River.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" further regulating school bus lighting equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1178, entitled:

An Act promoting safety by regulating vessels water skiing aquaplaning and similar activities upon the waters of this Commonwealth conferring powers and imposing duties on the Department of Revenue the Pennsylvania Fish Commission and the Pennsylvania Navigation Commission prescribing penalties making an appropriation from the General Fund to the watercraft safety division account of the Fish Fund and providing for the reimbursement of the General Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182), entitled "Chiropractic Registration Act of 1951," permitting students in their final semester of chiropractic college to be admitted to the standard examination.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1233, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing names of State Teachers' Colleges

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania by fixing a time limit upon the duration of regular sessions and limiting the power of the Governor to convene special sessions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1242, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees Retirement Code of 1959" re-defining State employees with respect to officers and employees of certain hospitals leased by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183), entitled "An act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the third class and imposing certain charges on counties" extending the provisions of the act to include certain per diem employees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1830, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1971, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1979, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" requiring county election boards to submit additional reports with respect to registered electors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1981, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" providing for the

deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2150, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469), entitled "An act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2193, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" extending the provisions relating to trespassing on grounds of State institutions to the Pennsylvania State University State Teachers' Colleges and universities receiving state aid.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2260, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law" providing for levying assessment and collection of taxes by certain independent school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the levying and collection of taxes by certain independent school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2277, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" repealing provisions for annual registration fees based on chassis weights adding a schedule of fees for certain vehicles repealing provisions for maximum gross weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2314, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitation with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2316, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2414, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" providing for payment to posts of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2417, entitled:

An Act amending the act of May 28, 1937 (P. L. 955) entitled as amended "Housing Authorities Law" providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing time for payment of certain portions of salary and expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing the compensation of members of the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 1592

The PRESIDENT. The Chair announces on behalf of the President pro tempore, the appointment of Messrs. SHAFER, ELLIOTT and LANE, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to House Bill No. 1592.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 476, LAID ON TABLE

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, and laid on the table:

In the House of Representatives, November 12, 1959.

Resolved (if the Senate concur), That House Bill No. 476, Printer's No. 1663, entitled: An act amending "The Game Law," approved June 8, 1937 (P. L. 1225), providing for additional annual charges to be paid by the Commonwealth for the benefit of counties, township roads and schools.

be recalled from the Governor for further consideration.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 998, LAID ON THE TABLE

He also presented extract from the Journal of the House of Representatives which was read as follows, and laid on the table:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur), That House Bill No. 998, Printer's No. 1851, entitled: An act amending the "Public School Code of 1949" approved March 10, 1949 defining distressed school districts; . . . defining the powers and duties of the Superintendent of Public Instruction.

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 2376, LAID ON THE TABLE

He also presented extract from the Journal of the House of Representatives which was read as follows, and laid on the table:

In the House of Representatives, November 12, 1959.

Resolved (if the Senate concur), That House Bill No. 2376, Printer's No. 1699, entitled: An act amending the act of September 3, 1955 (Appro. Acts, page 18), entitled "An act providing for reconstruction and repair of roads, streets, highways and bridges, damaged or destroyed, by the hurricane, flood or high water of August, 1955; * * *," extending the provisions of the act to political subdivisions for damages caused by later disasters, making them eligible for moneys out of said appropriations and extending the time that appropriations are available.
be recalled from the Governor for the purpose of amendment.

BILL INTRODUCED AND REFERRED

Mr. MURRAY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. MURRAY, FLACK, WAGNER and STEVENSON read in place and presented to the Chair Senate Bill No. 1252, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," changing the rights, powers and duties of Authorities heretofore or hereafter created.

Which was committed to the Committee on Rules.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, November 18, 1959, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 6:57 o'clock, p. m., Eastern Standard Time, until Wednesday, November 18, 1959, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, November 17, 1959

The House met at 1:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Lord God, the Protector of all who call upon Thee, and the Saviour of all who trust in Thee, as we approach Thy throne of mercy this day, we come in deepest humbleness fully recognizing that life finds its fullness and completeness in Thee and Thy abiding care. Watch over and guide these stewards of Thine that the work which is done here may accomplish Thy will and Thy purposes. Bless the newly elected members and endow them with Thy presence in this great calling. And inspire each bowed head this day that greater goals and higher aims which exceed man's anticipation may be fulfilled in the days which lie ahead: through Jesus Christ, Who with Thee and the Holy Ghost, art One God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, November 16, 1959, will be postponed until printed.

The Chair hears none.

McCONNELLSBURG JOINT HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House the Senior Class of the McConnellsburg Joint High School, who are here with their Guidance Counselor, Mr. David Duncan. They are guests of the gentlemen from Fulton, Mr. Garlock, and of our respected and beloved Chaplain.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 87.

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

Referred to the Committee on Rules.

SENATE BILL No. 217.

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

Referred to the Committee on Rules.

SENATE BILL No. 295.

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

Referred to the Committee on Rules.

SENATE BILL No. 445.

An Act making an appropriation to the Downingtown

Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion of a girls' dormitory.

Referred to the Committee on Rules.

SENATE BILL No. 545.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

Referred to the Committee on Rules.

SENATE BILL No. 711.

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

Referred to the Committee on Rules.

SENATE BILL No. 863.

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

Referred to the Committee on Rules.

SENATE BILL No. 1158.

An Act amending the act of May 20, 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

Referred to the Committee on Rules.

SENATE BILL No. 1161.

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

Referred to the Committee on Rules.

SENATE BILL No. 1194.

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester County for use of the West Chester State Teachers' College.

Referred to the Committee on Rules.

SENATE BILL No. 1208.

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

Referred to the Committee on Rules.

SENATE BILL No. 1232.

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and

to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. DAVIS, A. W. JOHNSON, RENWICK,
O'NEIL, GOODRICH and GRAMLICH.

RESOLUTION No. 130.

In the House of Representatives, November 16, 1959.

Throughout this great State, the value of land is progressively rising with the increasing population. Many political subdivisions are faced with an insurmountable problem of providing necessary services to its residents because the tax rate on taxable property has reached the saturation point.

Much of the nontaxable land in this State consists of public lands on which the State pays ten cents an acre in lieu of taxes. At the time the rate was set, the sum of ten cents per acre was reasonable and satisfactory. Unfortunately, the rate of payment has not increased with the value of the land which could be of great tax value to the counties in which it is located; therefore, be it

Resolved, That the Joint State Government Commission be directed to investigate and study the system of payments in lieu of taxes on public lands to counties by the State and recommend to the next regular session of the General Assembly a method of increasing the payments in lieu of taxes on public lands to the counties, together with drafts of legislation necessary to carry the recommendation into effect.

Referred to the Committee on Rules.

By Messrs. DAVIS, WEIDNER and GRAMLICH.

RESOLUTION No. 131.

In the House of Representatives, November 16, 1959.

Social Security and Public Assistance have aided in providing the bare necessities for many of our elder citizens. In many cases parents who have no income and are unable to work are rejected by their children who have adequate means to support them. These older citizens must be given help but the responsibility should be placed on their children when possible and not on the public at large; therefore be it

Resolved, That the Joint State Government Commission be directed to study and investigate the problem of support of parents by their children; and be it further

Resolved, That the Joint State Government Commission report to the next regular Session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendation into effect.

Referred to the Committee on Rules.

By Messrs. A. W. JOHNSON and McCANN..

(Concurrent) RESOLUTION No. 132.

In the House of Representatives, November 16, 1959.

The recent amendment to Article II, Section 4 of the Constitution of the Commonwealth of Pennsylvania, which provides for annual sessions of the General Assembly, and which restricts regular sessions convening in even-numbered years to laws raising revenue and laws making appropriations, has given rise to several important constitutional and procedural questions.

In order to avoid confusion and insure an orderly legislative process, it is imperative that the General Assembly be advised as to the proper interpretation of our Constitution in the light of this new amendment. Without advance study and a complete understanding between the

two Houses of the General Assembly it is likely that views on what limitations exist upon the nature of bills which may or may not be introduced will differ greatly. Divergent views also exist on this and related questions between individual members in each House; therefore be it

Resolved (the Senate concurring), That the Speaker of the House of Representatives appoint three members of the House who are well versed on questions of constitutional law and legislative procedure, two of whom shall be Democrats and one a Republican, and that the President Pro Tempore of the Senate appoint three members of the Senate who are also well versed on questions of constitutional law and legislative procedure, two of whom shall be Republicans and one a Democrat, who together shall constitute a joint committee to make a thorough study of the recent amendment to Article II, Section 4 of the Pennsylvania Constitution and related constitutional provisions and to define operating ground rules for the 1960 annual session and the "fiscal" sessions occurring in even-numbered years thereafter; and be it further

Resolved, That the committee make a report of its findings, together with its recommendation for appropriate rules at the beginning of the 1960 Session of the General Assembly.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2363.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation.

HOUSE BILL No. 2377.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the issuance of new hotel restaurant and club liquor licenses.

HOUSE BILL No. 2389.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

HOUSE BILL No. 2390.

An Act amending the act of May 24, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class * * *" authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

HOUSE BILL No. 2391.

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

HOUSE BILL No. 2403.

An Act amending the act of May 27, 1957 (P. L. 203) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport (Armstrong County * * *) changing the location at which the bridge is to be erected.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

And has appointed Messrs. Fleming, Probert and Rooney a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2268, entitled:

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

And has appointed Messrs. Koprivier, Fleck and Murray a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2319, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for the sale of borough owned electric light plants and the effect thereof.

And has appointed Messrs. Van Sant, Ehrgood and Lane a committee of conference to confer with a similar committee of the House of Representatives, (al-

ready appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY
SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 911.

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 1443 and 2021.

Senate insists on Amendments to House Bill No. 660.

Amended Senate Bills non-concurred in by Senate Nos. 810 and 882.

PERMISSION GRANTED COMMITTEE TO MEET
DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 926, 2331 and 2372.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 16, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 926, Printer's No. 1591, entitled "An Act authorizing the Pennsylvania Department of Property and Supplies acting for the Commonwealth of Pennsylvania to acquire by gift from the Borough of Northumberland that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley and which is now the property of the Borough of Northumberland, providing for the control, management, supervision, improvement and maintenance thereof by the Pennsylvania Historical and Museum Commission authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof, authorizing the Pennsylvania Historical and Museum Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical and Museum Commission to accept as gifts or loans such books manuscripts, pamphlets relics and furniture as interested societies or individuals may provide for enhancing the interests of this property as a museum of science creating an advisory board to assist in such functions and making an appropriation."

DAVID L. LAWRENCE.

November 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2331, Printer's No. 1496, entitled "An Act authorizing the Department of Property and Supplies to transfer 24,200 square feet of land in West Goshen Township, Chester County, Pennsylvania, now used for purposes of the Embreeville State Hospital, Embreeville, Pennsylvania, to the Department of Public Instruction."

DAVID L. LAWRENCE.

November 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2372, Printer's No. 1745, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public Schol Code of 1949' authorizing the employment of former members of school boards as teachers."

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

Mr. McCANN from the Committee on Rules, re-reported as committed, Senate Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries, increments and added compensation of teachers and supervisors.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural Society, Downingtown, Pennsylvania, for the completion of a girls' dormitory.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the deaf at Philadelphia.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593), entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester, Chester County, for use of the West Chester State Teachers' College.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1208, entitled:

On Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania, for the completion of a girls' dormitory.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester, Chester County, for use of the West Chester State Teachers' College.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

PRINTING OF PRESENTATION CEREMONIES

Mr. McCANN asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, November 17, 1959.

Resolved, That the Chief Clerk of the House is hereby directed to have printed the Resolution of congratulations to the Speaker of the House, together with the remarks of the Members relating thereto, and be it further

Resolved, That a copy thereof be sent to each Member of the House.

RESOLUTION

RECALLING HOUSE BILL No. 476 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 12, 1959.

Resolved (if the Senate concurs), that House Bill No. 476, Printer's No. 1663, entitled "An act amending the act of June 3, 1937 (P. L. 1225), entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1861

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1861.

The SPEAKER. The report will lie over for printing under the Rules.

Mr. McCANN. Mr. Speaker, we have a couple of birthdays in the House today, the gentleman from Philadelphia, Mr. Branca, and the gentleman from Centre, Mr. Fulmer. We can wish them both a happy birthday at one time, sir.

The SPEAKER. Can we celebrate both with one song?

Mr. DENGLER. I think so, Mr. Speaker. Let's sing happy birthday, dear gentleman, to be generous today.

The SPEAKER. That is a very happy suggestion.

The Members joined in singing "Happy Birthday."

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Fulmer.

Mr. FULMER. Mr. Speaker and Members of the House, thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Branca.

Mr. BRANCA. Thank you, Mr. Speaker. It has been a great pleasure for me to be connected with all you gentlemen in this House and I want to thank you and wish you good luck. God bless you!

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 866, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing names of State Teachers' Colleges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1106, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), defining "educational secretary" and providing for their certification.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2018, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132), entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *" further regulating the salary of the first aid and mine rescue instructors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2019, entitled:

An Act amending the act of April 25 1945 (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about coal mines of the Com-

monwealth of Pennsylvania * * *" regulating the salary of electrical inspectors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2167, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), regulating the number of hours in a school year.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 290, entitled:

An Act authorizing the governing bodies of political subdivisions to remove members of Authorities created by such political subdivisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 351, entitled:

An Act amending the "State Highway Law" of June 1, 1945 (P. L. 1242), providing for payment by the Commonwealth of damages by a change of width lines or grades of streets designated as State highways in cities of the second class A and third class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 523), page 2, lines 4 and 5, by inserting a bracket before "shall" in line 4 and after "not" in line 5 and inserting immediately thereafter: "may."

Amend Sec. 1 (Sec. 523), page 3, line 14, by inserting a bracket before "and" and after "resolution."

Amend Sec. 1 (Sec. 523), page 4, line 1, by inserting a bracket before "and" and after "city."

They were agreed to.

The Section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 592, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further regulating reimbursement for transportation of pupils.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), changing requirements for investments of the permanent State School Fund.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2256, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2257, entitled:

An Act amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2258, entitled:

An Act amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council of the Boy Scouts of America.

The first section was read.

On the question,

Will the House agree to the section?

Mr. PRICE offered the following amendment:

Amend Sec. 1, page 2, line 2, by striking out "of the" and inserting: "Inc."

Amend Sec. 1, page 4, line 5, by inserting after "America" "as directed and controlled by the Juniata Valley Council Inc. Boy Scouts of America."

Amend Sec. 1, page 4, line 5, by inserting after "said": "Juniata Valley Council, Inc."

Amend Sec. 1, page 4, lines 5 and 6, by striking out "abandon vacate convey attempt" and inserting: "abandons, vacates, conveys, attempts."

They were agreed to.

The Section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. PRICE offered the following amendment:

Amend Title, page 1, last line of Title, by striking out "of the" and inserting: "Inc."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances and creating a special board to pass upon the retirement of members who have attained the compulsory resignation age.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers' colleges and making appropriations" increasing the appropriation for one tract.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring certain school districts to provide chaperons when transporting school children in certain cases.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" changing the limit on retail licenses.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate Bill No. 1175, Printer's No. 1437 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the

judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

RESOLUTION

RECALLING HOUSE BILL No. 2376 FROM THE GOVERNOR

Mr. PETROSKY offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 12, 1959.

Resolved (if the Senate concur), that House Bill No. 2376, Printer's No. 1699, entitled "An act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled 'An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes' extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEE

Mr. McCORMACK from the Committee on Appropriations, reported as amended, House Bill No. 319, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to, and remodeling of, existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Intestate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

The SPEAKER. The Chair requests the gentleman from Cambria to return to the rostrum.

Mr. LOPRESTI IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 594, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House pro-

viding for the repair of the Pechin House authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|------------------|--------------------|-----------------------|
| Anderson, | Fulmer, | McCann, | Royer, |
| Arlene, | Gailey, | McCormack, | Rudisill, |
| Ashton, | Gallagher, | McDonald, | Sakulsky, |
| Auker, | Garlock, | McInroy, | Scarcell, |
| Balthaser, | Gelfand, | McKeever, | Schuster, |
| Barton, | George, | McLaughlin, | Seltzer, |
| Bell, | Goldstein, | Machmer, | Sherman, |
| Blair, | Goodrich, | Magee, | Shupnik, |
| Boles, | Gramlich, | Mahan, | Silverman, |
| Bonner, | Guthrie, | Markley, | Snare, |
| Boris, | Hamilton, | Maxwell, | Snider, |
| Bower, | Heavey, | Meholchick, | Stank, |
| Bowman, | Heffner, | Merry, | Steckel, |
| Branca, | Henzel, | Mihm, | Stevens, |
| Brenninger, | Hocker, | Miller, B. Z., | Stewart, |
| Breth, | Holliday, | Mills, | Stimmel, |
| Buchanan, | Holt, | Monroe, | Stone, |
| Burns, | Horst, | Muldowney, | Stoner, |
| Capano, | Irvis, | Mullen, | Strausser, |
| Capitolo, | Isaacs, | Munley, | Stroup, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr. | Sullivan, |
| Cloff, | Jim, | Murphy, P. J., | Taylor, |
| Clarke, | Johnson, A. W., | Murray, H. P., | Thompson, |
| Comer, | Johnson, R., | Murray, J. J., | Tompkins, |
| Crossin, | Jones, F. R., | Murray, P. G., | Trusio, |
| Curwood, | Jones, T. H. W., | Musto, | Ujobai, |
| Davis, | Jump, | Needham, | Varallo, |
| Dengler, | Kamyk, | Nelson, | Varnar, |
| Dennison, | Kee, | O'Dell, | Verona, |
| Devlin, | Kelser, | O'Donnell, J. A., | Wall, |
| Donahue, | Kernaghan, | O'Donnell, J. P., | Walsh, |
| Dougherty, | Kessler, | Odorisio, | Wargo, |
| Down, | Knecht, | Ogilvie, | Weldner, |
| Edwards, | Kooker, | O'Neil, | Welsh, |
| Ellberg, | Korns, | Parlante, | Whittaker, |
| Eshback, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshleman, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Ewing, | Lamb, | Perry, P. E., | Willard, |
| Farabaugh, | Lee, A. M., | Petrosky, | Willaredt, |
| Fetterolf, | Lee, K. B., | Polaski, | Wood, |
| Filo, | Leonard, | Polen, | Worley, |
| Fineman, | Light, | Prendergast, | Wynd, |
| Floyd, | Limper, | Price, | Yatron, |
| Flynn, | Lippincott, | Pursley, | Yetter, |
| Foerster, | Lopresti, | Reibman, | Zimmerman, |
| Fox, | Luigard, | Renwick, | Andrews, |
| Frank, | Lutty, | Rigby, | Speaker |
| Frascella, | McCandless, | Rovasek, | |

NAYS—0

NOT VOTING—18

| | | | |
|------------|----------------|-------------|-----------|
| Agnew, | Gibb, | Naugle, | Schwartz, |
| Brown, | Helm, | Reldenbach, | Wescott, |
| Cooper, | Kornick, | Riley, | Wheeler, |
| Dennis, | Miller, H. G., | Schaaf, | Wilt, |
| Donaldson, | Moran, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MEMBER WELCOMED

The SPEAKER pro tempore. The Chair and, he is quite sure, many of the Members of this House have noted the fact that the gentleman from York, Mr. Rudisill, cast

his vote on the last bill. The Chair is happy to welcome the gentleman back after an extended illness. We are very glad the gentleman is able to participate once again in the deliberations of this House. Welcome to the Hall, Mr. Rudisill.

The SPEAKER pro tempore. The Chair would request the Speaker to return to the rostrum.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair lays before the House a special order incident to administering the oath of office to a Member-elect.

PRESENTATION OF ELECTION RETURNS

The SPEAKER. The Chair recognizes the Deputy Secretary of the Commonwealth, the Honorable Albert Eberman.

The DEPUTY SECRETARY (Albert E. Eberman.) Mr. Speaker, I have the honor to present the returns of the special election of a Member to the House of Representatives in Warren County on November 3, 1959.

The SPEAKER. The Chair thanks the Deputy Secretary of the Commonwealth.

The returns of the special election were read by the Chief Clerk as follows:

NOVEMBER ELECTION

OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania }
County of Warren }

ss: Warren, Pa., November 13, 1959.

To the Secretary of the Commonwealth:

We hereby certify, That the following is a true and correct statement of the returns of the votes cast at the November Election held on Tuesday, November 3, 1959, for each and every candidate in the County of Warren as the same remain on file in this office, for the office of Representative in the General Assembly:

REPUBLICAN

Joseph H. Goldstein had seventy-three hundred forty-six votes (7346).

DEMOCRATIC

Frank A. Fago had fifty-nine hundred eighty-five votes (5985).

In testimony whereof, we have hereunto set our hands and seal of office, this 13th day of November, 1959.

Blain M. Mead

Lewis L. Crippen

L. L. Johnson

County Board of Elections

Attest:

Ed W. Allen

Clerk

Seal of the Commissioner of Warren County.

To His Excellency, the Speaker and to the Members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the return of the Special Election of Member of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania in Warren County, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Warren County Board of Elections:

Joseph H. Goldstein, Warren County, Pennsylvania. In testimony whereof, I have hereunto set my hand, at the City of Harrisburg this sixteenth day of November in the year of our Lord one thousand nine hundred and fifty-nine and of the Commonwealth the one hundred and eighty-fourth.

JOHN S. RICE
Secretary of the Commonwealth

The SPEAKER. The Chair appoints as a committee to escort the Member-elect, Joseph H. Goldstein, to the Bar of the House for the purpose of having administered to him the Oath of Office, the Minority Leader, Mr. Johnson, the Majority Leader, Mr. McCann, and Mr. Wood.

The Committee will proceed in the performance of its duty.

OATH OF OFFICE ADMINISTERED TO MEMBER-ELECT

The SPEAKER. The oath of office required by Article VII of the Constitution of Pennsylvania to be taken by Members elected to the House of Representatives will now be administered by the Honorable William H. Neely, a Judge learned in the law of the Court of Common Pleas of the County of Dauphin.

The oath of office was administered to Hon. Joseph H. Goldstein.

The SPEAKER. The Chair extends the thanks of the House to Judge Neely for the privilege of having him appear with us to administer the oath of office to the new Member from Warren.

The Chief Clerk of the House will read and present to the new Member, the Honorable Joseph H. Goldstein, his certificate of election.

I, John S. Rice, Secretary of the Commonwealth, do hereby certify that at the Special Election held on the third day of November, 1959

JOSEPH H. GOLDSTEIN

Having received seven thousand three hundred and forty-six votes, was duly elected to the office of

REPRESENTATIVE IN THE GENERAL ASSEMBLY in Warren County.

Witness my hand and the seal of my office this sixteenth day of November 1959.

Secretary of the Commonwealth.

The SPEAKER. Having received the certificate of his election, the Committee will escort the gentleman from Warren, Mr. Goldstein, to his seat, after which the committee is discharged with the thanks of the House.

Mr. A. W. JOHNSON. Mr. Speaker, I think it is appropriate at this time that we say a few words of welcome to the new Member of the House. It is always a festive occasion when we swear in a new Member. To us it means a new friend, a new voice to be heard, new thoughts to be propounded. To the new Member it opens up a new life, a rewarding experience, a chance to be part of the operation of our state.

I have often said that this House of Representatives is one of the greatest deliberative bodies in the nation. It handles its work and its prerogatives with dignity and dispatch. To those who are elected to serve here it is a tremendous honor and responsibility.

I have known our new Member, Joseph Goldstein for many years. He is one of Warren County's finest citizens. I am sure he will live up to all that is expected of a

Member of this House and will be a credit to Warren County and to Pennsylvania.

I want to say that one time, in the fall, as I was going through the state if you will forgive the reference—I was introduced by a state Senator as a Member of the Lower House of Pennsylvania. Well, that naturally did not sit very well with me. So, it gave me an opportunity to tell this story.

It is the story about the House Member who was awakened by his wife during the night, and she said, "Pa, Pa, there's a burglar in the house." He said, "I knew there were burglars in the Senate, but I did not know there were any in the House."

I want to give this admonition to the new Member: We look upon this House of Representatives as our home, and as I said, one of the finest deliberative bodies in the nation. We are proud of our prerogatives. Many things must originate here. We are closer to the people than any other body in this nation. We are proud of the work we do, proud of this House, and we want you to be proud and glad that you are a Member. We want to welcome you here.

Mr. McCANN. Mr. Speaker, we want to take this opportunity to welcome, from the Democratic side of the House, the newly elected Member from Warren County, Mr. Goldstein.

May we assure the gentleman from Warren County that we want to be of help. We are confident the new views and ideas expressed by this Member, the wishes of the people of Warren County, will be watched with great interest.

Mr. Speaker, I learned with great delight a moment ago, as the gentleman was being sworn in, that he has some very close relatives who come from my county of Greene. I believe he said his wife was a native of Greene County. I would like to say to Mrs. Goldstein, and Mr. Goldstein, we will welcome you to join us back in Greene County where all those wonderful Democrats come from.

We hope the gentleman's stay will be long and fruitful, and that he shall enjoy our company as much as we shall enjoy his in the closing days of this Session and in the new Session in the coming year.

The SPEAKER. If the lovely person who is the wife of the new Member is in the Hall of the House, will she please stand.

The Chair welcomes on behalf of the Chair the new Member and he assures him that on various matters concerning him the Chair will take the opportunity to consult Mrs. Goldstein.

PERMISSION TO ADDRESS HOUSE

Mrs. VARALLO asked and obtained unanimous consent to address the House.

Mr. Speaker, the First Lady of the state, Mrs. Lawrence, invited to a luncheon today the women editors throughout the state, and also invited the women Legislators. Because we were permitted to come into the House at 2:00 o'clock instead of 1:00 o'clock, Mrs. Lawrence asked me to please deliver these flowers to the Speaker of the House as a peace offering.

The SPEAKER. This is a treasured remembrance. The First Lady who is in the Governor's Mansion and I have been close friends, and for years have been in almost

constant agreement. I hope that now and then it might be possible for me to negotiate with the Chief Executive of this Commonwealth through the avenue of his lovely wife who has so kindly remembered the Speaker on this occasion. I certainly thank her, and I shall consult with her frequently.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. SCHAAF for today.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, please come to the rostrum?

Mr. LOPRESTI IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Messrs. IRVIS, MIHM, STEWART and
SHERMAN. HOUSE BILL No. 2453.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, * * *," increasing the salaries of certain judges.

Referred to the Committee on Rules.

By Messrs. STEVENS, STEWART, MAXWELL
and BOIES. HOUSE BILL No. 2454.

An Act requiring the licensing of automobile salesmen; imposing powers and duties on the Department of Public Instruction; and prescribing penalties.

Referred to the Committee on Rules.

By Messrs. KAMYK, DEVLIN, M. H. GOLDSTEIN
and RIGBY. HOUSE BILL No. 2455.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payments to the widow and children of members who are killed while on duty.

Referred to the Committee on Rules.

By Messrs. DEVLIN, KAMYK, M. H. GOLDSTEIN
and RIGBY. HOUSE BILL No. 2456.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), further regulating payments to the widow and children of members who are killed while on duty.

Referred to the Committee on Rules.

By Messrs. McCANN and DOUGHERTY.
HOUSE BILL No. 2457.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the residence qualifications of electors.

Referred to the Committee on Rules.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1564, entitled:

An Act amending the "Intestate Act of 1947" approved April 24, 1947 (P. L. 80) prescribing the spouse's rights

in the decedent's estate and eliminating dower and statutory rights in lieu thereof of a widow in real estate conveyed by her husband in his lifetime without her joinder.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mrs. KOOKER. Mr. Speaker, inasmuch as House Bill 1564 is sponsored by four attorneys and inasmuch as I, being a woman, do not want to support a bill that infringes on women's rights in any way, nor do I want to support a bill that would permit or make it an easy matter for men to desert their wives, I would ask for one of the sponsors of this bill in plain, understandable language to please explain this bill.

Mr. A. M. LEE. Mr. Speaker, in reply to the question raised by the lady from Bucks, I will attempt to explain in plain, simple language just exactly what this bill does.

In a few words, the passage of this bill and its enactment into law would make the husband and the wife exactly equal insofar as their individual real estate acquired during the course of their marriage is concerned.

In the 1957 Session we passed a bill which gave to the wife the complete right to convey her individually owned real estate during marriage, without the joinder or the consent of the husband. This bill removes the present disability of the husband in order that he may also be able to convey his real estate in the same fashion as the wife now can.

Mrs. KOOKER. Mr. Speaker, may I ask Attorney Lee a question?

The SPEAKER pro tempore. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mrs. KOOKER. Mr. Speaker, does this mean that a man can convey property now without the consent of his wife or vice versa?

Mr. A. M. LEE. The law at the present time is that the wife may convey it without the consent or the joinder of the husband. This bill would mean, if it were enacted, that the husband could convey his individual real estate. In other words, remember that I am talking about real estate that is in the individual name of the husband or the wife. This does not affect real estate that is owned jointly by the husband and the wife.

The bill, if it is enacted, would mean that the husband would then have exactly the same right which the wife has today.

Mrs. KOOKER. Thank you.

Mr. BELL. Mr. Speaker, I rise to oppose this bill. I think that for the benefit of our Members who are not attorneys we should understand what dower rights are.

Dower rights are rights of a married woman. Under present law when a man dies, his widow, if there are one or no children, has the right to one-half of his estate, and the dying husband cannot will away her rights. If there are two or more children, the widow has a right to one-third of the deceased husband's estate, and again she cannot be pushed out of the picture by his will.

Today if a married man desires to knock out his wife's dower rights during his lifetime, he cannot do it with respect to real estate because if he endeavors to convey,

to sell or to give away the real estate, he cannot give a good, clear, insurable title. So the wife is protected.

What would happen if we passed a bill such as House Bill 1564? It would permit a husband to sell the house that is in his own name, and his wife would not have any say about whether it is sold or not. Now is that good or is it bad law? I say it is bad law because the only type of husband who would sell the house out from under his wife's feet is the type of husband we run into in our desertion courts.

I say this, that if we give a husband the right to cut out his wife's dower rights, you are going to have situations arising throughout this Commonwealth, and God knows I do not want to see it happen in my district, where a deserting husband will leave, will sell the house out from under the wife and then along will come the sheriff and move her out in the street. I say that is a bad bill. And I say we should all vote against this type of legislation.

Mr. McCORMACK. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Lee?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, is it not a fact that under the present laws of Pennsylvania there is nothing to prevent a married man from conveying property which he owns in his individual name?

Mr. A. M. LEE. That is correct. In other words, I am sure the gentleman from Philadelphia understands that such a deed by a husband as to his individually owned property would be a voidable deed; that is, it would be valid until challenged in some way.

Mr. McCORMACK. Well, it would be a perfectly legal deed, but it is subject to the possibility, is it not, that if the husband predeceases the wife, the wife would then be entitled to a share in that property even though it had been conveyed?

Mr. A. M. LEE. That is correct.

Mr. McCORMACK. Now, am I correct in saying that in the event a husband earns all the income in the family and elects to take title to a property in his own name, should there be a subsequent separation, if this bill becomes law, he would be able to convey that property in fee simple without any possibility of the wife later coming in and receiving an interest? Is that correct?

Mr. A. M. LEE. I would say that it is not correct in the sense that there are certain other problems that enter into such a situation.

Let me say in answer to the gentleman's question, first, of course, even under the present state of the law where the widow has this particular right of dower, it would be possible for a husband who wished to deprive his wife of her interest in a piece of real estate which was in his individual name. He could go out and create a mortgage without her joinder, and just not pay the mortgage and, in effect, get the money out of the property. On the foreclosure of the mortgage, in the conveyance and foreclosure proceedings, somebody else would get good title to the real estate. So it is possible to defeat those rights under the present law.

I would also say to the gentleman that under Section 11 of the Estates Act, the husband and the wife are both

protected to a certain extent as to conveyance by either which are in fraud of the marital rights.

Mr. McCORMACK. Well, of course, when you say there is a possibility that the husband could create a mortgage and not pay it, at the same time you must admit, must you not, that there would be no mortgage company that would lend a married man money on a property in his own name without getting his wife to join in the mortgage? Isn't that a fact?

Mr. A. M. LEE. Well, that may well be, but he could actually create the mortgage, in favor of some friend of his, without ever receiving any money, and it would be an extremely difficult situation to track down. I don't think there is any question that through that device the wife's rights would be defeated under the present state of the law.

Mr. McCORMACK. But in order to understand the implications of the effect of this bill, in the hypothetical case I gave you it is correct, is it not, that the husband could purchase a property in his lifetime and then later convey it after a separation, and the wife would have no right? Isn't that what would happen if this bill were to become law?

Mr. A. M. LEE. Well, there is no question . . .

Mr. McCORMACK. You are saying now there is a possibility, but I am saying this would put the possibility into reality and it would be legally binding and effective so that the wife would have absolutely no rights, is that correct?

Mr. A. M. LEE. It is correct that the husband could convey his individually owned real estate during the marriage without the wife's joinder or consent, and he thereby would become exactly on equal footing with the wife who presently has that right.

Mr. McCORMACK. I see. Thank you.

Mr. Speaker, as the House well knows, I have had my differences with the ladies this Session, but this is one bill where I am going to have to sympathize with them and go along with them.

Mr. A. M. LEE. Mr. Speaker, this legislation is extremely technical and difficult to try to explain. I would only sum up by emphasizing again that this bill is designed to place the husband and the wife on exactly an equal footing. Neither would have any advantage.

Mr. BELL. Mr. Speaker, I differ with my good friend, the gentleman from Philadelphia, Mr. Lee. I do not think this bill is so technical or so hard to explain. I am not concerned about deserting wives, but I am concerned about deserting husbands.

I say this, that a vote for this bill is a vote to permit a husband who deserts his family to have the right to sell the house from under the wife's feet. Do you want to go back to your districts when this happens and tell a wife that you voted for this? I do not want to be in that category myself, and I do not think you do. I say this is a vote to protect the wife and family.

Mr. LAMB. Mr. Speaker, I know the gentleman from Philadelphia, Mr. Lee, states that a married woman has the right to convey her individually owned real estate without the joinder of her husband, and that right was supposedly granted by an act passed in 1957. I just want to point out to the House that in Allegheny County there is not a title company or lawyer who will pass a title to property conveyed individually by the wife. It is felt

that regardless of what the Act of 1957 said, a married woman has no legal right to convey her individually owned real estate by her sole deed. It is felt, as I said, that regardless of this deed she has no right and that such a deed by a married woman is void.

Mr. FINEMAN. Mr. Speaker, the comment just made by the gentleman from Allegheny County, Mr. Lamb, I think speaks in favor of the passage of this bill.

I have before me a memorandum that was published by the Joint State Government Commission from their study on the Decedents estates laws and it deals with this bill, House Bill 1564. I do not know whether this is going to add clarity or confusion, but I would like to read it nevertheless because it does clarify some points for me, particularly along the lines raised by the gentleman from Allegheny County.

The principal purpose of this amendment is to make the rights of both spouses equal with respect to real estate conveyed inter vivos—and for the benefit of the Members of the House who are not lawyers, that refers to conveyances during the respective lifetimes of the spouses—and to eliminate the confusion caused by Act No. 417 of 1957 which was referred to by Mr. Lee.

Prior to the Act of 1957 such rights of the husband and wife were equal for all practical purposes although the protection of each spouse had a different historical basis.

At common law the husband had what we call "courtesy" in his wife's estate and a wife had what is termed "dower" in a husband's estate. The husband's right of courtesy was abolished completely in 1917, but he was indirectly protected from conveyances by his wife without his joinder by the inability of a married woman to convey property without joinder of the husband under the common law disability.

Also in 1917 dower was abolished as to all real estate owned by the husband at the time of death. However, it was retained and enlarged as to real estate conveyed inter vivos. In this way the husband was prevented from passing clear title to his real estate without his wife's joinder. So that prior to the Act of 1957 a wife could not convey property in her own name without the husband's joinder and a husband could not convey property in his name without his wife's joinder.

The Act of 1957 came along and as a result of that Act the law is in confusion because that Act says that a married woman now has the same power to convey as a married man. What power to convey does a married man have? As seen above, a married man may convey, but only subject to his wife's right of dower.

Does the new act mean that a husband now has courtesy in his wife's real estate? This is the reason why the title companies in Allegheny County will not assure a conveyance by a wife alone where title is in her name alone, because of the fact that her rights are exactly equated with the right of a married man, and a married man's rights are limited by his wife's right of dower. It is believed that the best solution to the problem is to eliminate dower. In this way neither husband nor wife will be able to convey without the other's joinder. The respective rights of the spouses will once again be equal, and Act No. 417 will make some sense.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to speak in opposition to this bill.

There are a great many lawyers in the state of Pennsylvania who do not completely understand the rights of courtesy. There are a great many lawyers who do not completely understand the wife's right of dower. However, every lawyer understands that approximately one-third of the marriages in Pennsylvania are destined for the divorce courts of Pennsylvania.

The first question that every lawyer asks the wife when she comes in to consult with him in regard to a separation or divorce is, how is your property held? As it held by your husband and yourself as tenants by the entirety, because then you have certain rights, or is it held by your husband alone. Today even under that latter situation the wife as we have seen has rights which title companies protect because they will not insure the titles. I am certain that regardless of the present mixup, the present attitude of the title companies in regard to the husband's rights, that the passage of a bill like this is going to greatly restrict the possibility of a wife receiving a decent settlement arrangement prior to a divorce.

Further I would say today that probably 90 percent of the properties that husbands and wives take title to are taken as tenants by the entirety, taken in the name of both husband and wife. However, if you provide a farsighted husband with this possible way out we will see many, many properties taken in the husband's name alone so as to protect him in the event this marriage does not work out. I believe that if there is an inequity as the result of the prior legislation in regard to courtesy perhaps the solution is to repeal that legislation rather than correct the previous wrong by a second wrong.

Mr. SHERMAN. Will the gentleman from Philadelphia, Mr. A. M. Lee, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. A. M. Lee, permit himself to be interrogated?

Mr. A. M. LEE. I shall, Mr. Speaker.

Mr. SHERMAN. Mr. Speaker, I understand the gentleman was present at the last session at which the bill was passed, giving the married women greater rights?

Mr. A. M. LEE. Is that a question, Mr. Speaker?

Mr. SHERMAN. Yes.

Mr. A. M. LEE. Yes, I was a Member of this House in the last session.

Mr. SHERMAN. Am I right in saying that the law prior to the passage of the last bill, or under the law, a man had a right, a married man had the right to transfer his real estate without the joinder of the wife, and the woman would still have the right of dower? Also that a married woman's deed was absolutely void prior to the passage of that bill? Am I correct?

Mr. A. M. LEE. That is my understanding, Mr. Speaker.

Mr. SHERMAN. Am I therefore also correct that the purpose of the bill introduced at the last session was to equalize the rights of the married woman so that she also would have the right to transfer the property without the joinder of the husband to the same extent only that the married man had the right to transfer without the joinder of the wife?

Mr. A. M. LEE. I would assume, Mr. Speaker, that that may have been the intention with which Act No. 417 in its original form was introduced. However, it is my opinion that it went further than that and did more than that intention, if such was the intention.

Mr. SHERMAN. Then the gentleman agrees that that was the intention at the time the bill was introduced?

Mr. A. M. LEE. I, Mr. Speaker, of course, can not say what the intention was because some one else drew the bill and introduced it. So, I would assume that that was the intention. I do not know.

Mr. SHERMAN. Is that not what the bill actually says in 1957, therefore, giving the married woman the right to transfer the property without the joinder of the husband?

Mr. A. M. LEE. I have the Act 417 before me. I would be happy to read it to the gentleman if he would want me to.

Mr. SHERMAN. If it is not more than one sentence, I would be happy to listen to it.

Mr. A. M. LEE. The main portion of the bill is one sentence. "Hereafter, a married woman shall have the same right and power as a married man to acquire, own, possess, control, use, convey, lease or mortgage any property of any kind real, personal or mixed, either in possession or in expectancy, or to make any contract in writing or otherwise, and may exercise the said right and power in the same manner and to the same extent as a married man." That is the meat of the Act.

Mr. SHERMAN. Is that not what the bill says, that the rights of the married woman would be the same as the married man?

Mr. A. M. LEE. That is correct, Mr. Speaker.

Mr. SHERMAN. Therefore, by virtue of that bill, with one exception that I will bring out in a minute, which you may not be familiar with, the married woman would have the same rights as the married man as far as the transfer of real estate is concerned, is that correct, Mr. Speaker?

Mr. A. M. LEE. That is what the Act says, Mr. Speaker.

Mr. SHERMAN. Now, is it not true that even with the passage of this bill under the bill, of feme sole trader relationship, the married woman would still have greater rights than the married man?

Mr. A. M. LEE. I do not quite understand. Was that a question, Mr. Speaker?

Mr. SHERMAN. I will put it more specifically. In case of a deserting husband is it not true that the married woman shall have the right to transfer the property without the joinder of the husband, and can convey the property free and clear of any right of dower, right of courtesy on the part of the husband?

Mr. A. M. LEE. I am sorry, Mr. Speaker, I do not believe that I understand the question.

Mr. SHERMAN. Does the gentleman understand what feme sole trader means?

Mr. A. M. LEE. Yes, Mr. Speaker.

Mr. SHERMAN. Feme sole trader, the relationship of a deserting husband, whereby a married woman has the right to transfer that property just as if the married man were deceased?

Mr. A. M. LEE. That is correct, Mr. Speaker.

Mr. SHERMAN. Has the married man that right at the present time or even with the passage of this bill, in case of a deserting wife?

Mr. A. M. LEE. With the passing of this bill, Mr. Speaker, it is my understanding that the married man would be able to convey individually owned real estate during marriage without the joinder or consent of his wife.

Mr. SHERMAN. That is all, Mr. Speaker.

Mr. A. M. LEE. May I say one further word, Mr. Speaker.

I do not believe that the specter raised here about deserting husbands and these other matters that have been discussed in connection with this bill have too much relationship to it. What we are here attempting to do, is in an orderly fashion to restore the law to some state of sensibleness so that the husbands and wives, the attorneys and the title companies will all know exactly what the rights of the respective parties are. This bill has been prepared by the advisory committee on Decedent's Estates Law of the Joint State Government Commission and it is a Joint State Government Commission bill, and I ask as many Members as possible to see their way clear to support it. Thank you.

Mr. T. H. W. JONES. Mr. Speaker, I am a co-sponsor of this bill, I have listened to the debate today, I am familiar with the background of it, and frankly I do not think that the bill has been given adequate study.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. T. H. W. JONES. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary. for the purpose of further study.

The motion was agreed to.

WILLIAM TENANT HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House, students of the William Tenant High School of Johnsville, Bucks County, Pennsylvania, guests of the lady from Bucks, Mrs. Kooker, Mr. A. D. Williams and Mr. Gallagher.

VALLEY FORGE COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER pro tempore. The Chair would also like to welcome a delegation, the Valley Forge Council of Republican Women, who are the guests of the gentlemen from Chester, Mr. Ujobai, Mr. Ashton and Mr. Brown.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 1976, entitled:

An Act relating to the public practice of certified public real estate valuers providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public real estate valuers and for the suspension and revocation of such certificates subject to appeal and for their reinstatement * * * defining unlawful acts and acts not unlawful and providing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—60

| | | | |
|--|---|--|---|
| Anderson, Arlene, Bonner, Branca, Breth, Burns, Cianfrani, Clarke, Comer, Crossin, Devlin, Dougherty, Ellberg, Fineman, Floyd, | Frank, Frascella, Gallagher, Gelfand, Heavey, Irvis, Jones, F. R., Kamyk, Kovolenko, Leonard, Limper, Lopresti, Luigard, Lutty, McCann, | McCormack, McDonald, McKeever, Mihm, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Needham, O'Donnell, J. P., Parlante, Pashley, Perry, P. E., Polen, | Renwick, Scarcelli, Sherman, Silverman, Stank, Stewart, Sullivan, Taylor, Trusio, Varallo, Verona, Wargo, Yatron, Yetter, Andrews, Speaker |
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NAYS—126

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| Agnew, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boies, Boris, Bower, Bowman, Brenninger, Buchanan, Capano, Cioffi, Curwood, Davis, Dengler, Dennison, Donahue, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Flynn, Fox, Fulmer, Galley, Garlock, | George, Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Horst, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, T. H. W., Jump, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Light, Lippincott, McCandless, | McInroy, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Nelson, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, O'Neill, Perry, H. H., Polaski, Prendergast, Price, Pursley, Reibman, Rigby, Rovanseck, | Royer, Rudisill, Sakulsky, Schuster, Seltzer, Shupnik, Snare, Snider, Steckel, Stevens, Stimmel, Stoner, Strausser, Stroup, Thompson, Tompkins, Ujobal, Varnier, Wall, Walsh, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Zimmerman, |
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NOT VOTING—23

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| Brown, Capitolo, Cooper, Dennis, Donaldson, Filo, | Foerster, Gibb, Goldstein, J. H., Goldstein, M. H., Helm, Holt, | Kornick, McLaughlin, Moran, Petrosky, Reidenbach, Riley, | Schaaf, Schwartz, Stone, Wheeler, Wilt, Wynd, |
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPUBLICAN WOMEN WELCOMED

The SPEAKER pro tempore. The Chair welcomes to the Hall of the House a delegation of ladies from the Bucks County Republican Council and the North Penn Council of Republican Women, who are the guests of the lady from Bucks, Mrs. Kooker and the gentleman from Bucks, Mr. A. D. Williams, Jr.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1975, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), establishing the State Board of Examiners of Public Real Estate Valuers as

a departmental administrative board in the Department of Public Instruction.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—60

| | | | |
|--|---|--|---|
| Anderson, Arlene, Bonner, Branca, Breth, Burns, Cianfrani, Clarke, Comer, Crossin, Devlin, Dougherty, Ellberg, Fineman, Floyd, | Frank, Frascella, Gallagher, Gelfand, Heavey, Irvis, Jones, F. R., Kamyk, Kovolenko, Leonard, Limper, Lopresti, Luigard, Lutty, McCann, | McCormack, McDonald, McKeever, Mihm, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Needham, O'Donnell, J. P., Parlante, Pashley, Perry, P. E., Polen, | Renwick, Scarcelli, Sherman, Silverman, Stank, Stewart, Sullivan, Taylor, Trusio, Varallo, Verona, Wargo, Yatron, Yetter, Andrews, Speaker |
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NAYS—126

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|---|--|---|---|
| Agnew, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boies, Boris, Bower, Bowman, Brenninger, Buchanan, Capano, Cioffi, Curwood, Davis, Dengler, Dennison, Donahue, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Flynn, Fox, Fulmer, Galley, Garlock, | George, Goldstein, J. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Horst, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, T. H. W., Jump, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Light, Lippincott, McCandless, | McInroy, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Miller, B. Z., Miller, H. G., Mills, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Nelson, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, O'Neill, Perry, H. H., Polaski, Prendergast, Price, Pursley, Reibman, Rigby, Rovanseck, | Royer, Rudisill, Sakulsky, Schuster, Seltzer, Shupnik, Snare, Snider, Steckel, Stevens, Stimmel, Stoner, Strausser, Stroup, Thompson, Tompkins, Ujobal, Varnier, Wall, Walsh, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Worley, Zimmerman, |
|---|--|---|---|

NOT VOTING—23

| | | | |
|--|---|--|---|
| Brown, Capitolo, Cooper, Dennis, Donaldson, Filo, | Foerster, Gibb, Goldstein, M. H., Helm, Holt, Kornick, | McLaughlin, Moran, Petrosky, Reidenbach, Riley, Schaaf, | Schwartz, Stone, Wheeler, Wilt, Wynd, |
|--|---|--|---|

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 2347, entitled:

An Act amending "The Administrative Code of 1929"

approved April 9, 1929 (P. L. 177), creating the Bureau of Consumer Protection defining its powers and duties and making an appropriation.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House Bill 2347, Printer's No. 1813, is a bill that was debated at length in the Halls of this House on a prior date.

This is a piece of legislation that creates the Bureau of Consumers' Protection, a piece of legislation in the minds of many of us that we believe has great merit for the citizens of this Commonwealth. It is a piece of legislation that eventually will come to be enacted into law, and we are confident that a great number of the people of our Commonwealth are deeply interested in such legislation by the letters they have written in support of this proposed legislation.

Since the bill was debated at length on a prior date and the interrogation covering the entire subject was handled on that date, we feel that further interrogation and debate on this bill would be of no additional help in covering or explaining the bill.

I ask that all of the Members of the House support House Bill 2347, Printer's No. 1813, and pass this piece of much needed legislation.

Mr. TOMPKINS. Mr. Speaker, I think I interrogated at length on this bill when it was last before us. I am not going to repeat that interrogation at this time.

Because of the information brought out at that time, I am still against this bill and I would ask the membership of this House to be against it.

I would, however, like to interrogate the Majority Leader on one other point.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, can the Majority Leader tell me how much this commission would cost?

Mr. McCANN. Mr. Speaker, I believe, 2347 carries for the Bureau of Consumers' Protective Commission, an amount of \$200,000.

Mr. TOMPKINS. Is there an appropriation for that purpose?

Mr. McCANN. There is an appropriation for that purpose in House Bill No. 2347, Mr. Speaker.

Mr. TOMPKINS. The appropriation was written into this bill?

Mr. McCANN. Mr. Speaker, it was written into the bill on a prior date; it is in there, yes.

Mr. TOMPKINS. Is there money available for this bill? Did you put it in the Governor's budget?

Mr. McCANN. Mr. Speaker, House Bill 2347 covering the amount of \$200,000 is not included in the Governor's budget.

Mr. TOMPKINS. Is this \$200,000 included in any taxes anywhere to provide for the payment of it?

Mr. McCANN. Mr. Speaker, I am sure that somehow there would be in the neighborhood of a small portion of that money to start the bureau. The Governor would have the right to reduce the appropriation, but on the \$200,000 we question very much whether there is very much money of any kind budgeted or non-budgeted, preferred or non-preferred left at this time following the conference.

Mr. TOMPKINS. Well, is it the gentleman's opinion, in view of the Governor's announced policy of not approving any legislation when the money is not provided for it, that the Governor would sign such a bill?

Mr. McCANN. Mr. Speaker, the Governor would sign House Bill 2347, Printer's No. 1813, if it could be presented on his desk.

He might have to reduce or change the appropriation but he would sign the bill, sir.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, this Session we have not passed any bills in this House, and we have not approved any legislation which is going to cost us money unless the revenue has provided for it. This was not included in the Governor's budget, and if they can start shopping around to pick up \$100,000 or \$200,000 here and there for everything else, then I do not know why we cannot find money for the schools.

I am against this bill.

Mr. McCORMACK. Mr. Speaker, I do not want to debate this bill at length, because what I said is in the record and what the gentlemen preceding me said is also in the record, but I cannot help noticing the comments made by the Minority Whip, Mr. Tompkins, with the respect to policies concerning bills carrying an appropriation without the money to pay for them.

I say that this bill is so important and so essential that it should be passed regardless of whether or not there is sufficient money to cover it.

I want the gentleman to pay particular attention to the fact that there are other bills on this calendar of far less importance to the taxpayers of the Commonwealth of Pennsylvania, where the money is not in the budget to cover the appropriation, and I think if it is the policy of the Republican party not to vote for any bills unless the money is there, this policy should be carried out with respect to all the bills on the calendar, and there should not be any deviation.

This is a bill that the Unions are behind, that the Administration is behind, that is a novel concept in the Commonwealth of Pennsylvania, and it merits the attention and the support of all of the Members on both sides of the House because it is designed to save taxpayers money. I think where any bill is designed for that purpose, we ought to, without regard to technical objections, support it and give it a try.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—89

| | | | |
|------------|---------------|---------------------|------------|
| Anderson, | Gallagher, | Maxwell, | Rovansek, |
| Arlene, | Garlock, | Meholchick, | Rudisill, |
| Boles, | Heavey, | Mills, | Sakulsky, |
| Bonner, | Hefner, | Monroe, | Scarcelli, |
| Branca, | Irvic, | Mullen, | Schuster, |
| Breth, | Jenkins, | Munley, | Sherman, |
| Burns, | Jim, | Murphy, A. J., Jr., | Shupnik, |
| Capano, | Jones, F. R., | Murphy, P. J., | Snider, |
| Capitolo, | Kamyk, | Musto, | Stank, |
| Cianfrani, | Kee, | Needham, | Stewart, |
| Cioffi, | Kovolenko, | Nelson, | Stone, |
| Clarke, | Lamb, | O'Donnell, J. P., | Sullivan, |
| Comer, | Leonard, | O'Neill, | Taylor, |
| Crossin, | Limper, | Parlante, | Varallo, |
| Devlin, | Lopresti, | Pashley, | Verona, |
| Dougherty, | Luigard, | Perry, H. H., | Walsh, |
| Farabaugh, | Lutty, | Perry, P. E., | Wargo, |

| | | | |
|---|--|---|--|
| Filo, Floyd, Flynn, Foerster, Frank, Gailey, | McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, | Petrosky, Polaski, Polen, Prendergast, Reibman, Renwick, | Welsh, Yatron, Andrews, Speaker |
|---|--|---|--|

NAYS—94

| | | | |
|---|---|---|--|
| Agnew, Ashton, Auker, Barton, Bell, Blair, Boris, Bower, Bowman, Brenninger, Buchanan, Davis, Dengler, Dennison, Donahue, Donaldson, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Fetterolf, Fox, | Fulmer, George, Goldstein, J. H., Goodrich, Gramlich, Guthrie, Henzel, Hocker, Holliday, Horst, Isaacs, Johnson, A. W., Johnson, R., Jones, T. H. W., Jump, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kubitsky, Lee, A. M., Lee, K. B., | Light, Lippincott, McCandless, McInroy, Magee, Mahan, Markley, Merry, Miller, B. Z., Miller, H. G., Murray, H. P., Murray, J. J., Murray, P. G., Naugle, O'Dell, Odorisio, Ogilvie, Price, Pursley, Rigby, Royer, Seltzer, Silverman, | Snare, Steckel, Stevens, Stimmel, Stoner, Strausser, Stroup, Thompson, Tompkins, Ujobai, Varner, Wall, Weidner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, |
|---|---|---|--|

NOT VOTING—26

| | | | |
|--|---|---|--|
| Balthaser, Brown, Cooper, Curwood, Dennis, Fineman, Frascella, | Gelfand, Gibb, Goldstein, M. H., Hamilton, Helm, Holt, Kornick, | Mihm, Moran, Muldowney, O'Donnell, J. A., Reidenbach, Riley, | Schaaf, Schwartz, Trusio, Wheeler, Yetter, Zimmerman, |
|--|---|---|--|

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FARABAUGH. Mr. Speaker, this bill was called up last week and I wanted to debate it. I wanted some questions answered, and for that reason it was put aside until today. Now, I have some of those answers, but there are some answers I still do not have, so I would ask one of the sponsors of this bill to answer some questions for me.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. FARABAUGH. Mr. Speaker, I would ask Mr. Polen what the salary increase is under this bill to the members of the Pennsylvania Board of Parole?

Mr. POLEN. The present salary of the members of the Board of Parole is \$11,500.

Mr. FARABAUGH. What is it again?

Mr. POLEN. \$11,500.

Mr. FARABAUGH. And increased to what?

Mr. POLEN. \$16,000.

Mr. FARABAUGH. Am I not right that the Chairman of that Board is increased to \$17,000.

Mr. POLEN. Yes, the present salary of the Chairman of the Board of Parole is \$12,500, and the increase is to \$17,000.

Mr. FARABAUGH. Then the increase for each member of the Board is \$4,500 per year?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. FARABAUGH. Can you tell me how many times that Board meets per month?

Mr. POLEN. Mr. Speaker, I could not tell him the exact number of times the Board meets, but at the hearings before the Appropriations Committee they told us each Board member interviewed personally, all the applicants for parole. They went to the different institutions where they were confined and personally interviewed every applicant. It entailed days and days of work in this particular phase of their work as members of the Board.

Mr. FARABAUGH. Could you tell me, Mr. Speaker, why the Milk Control Commission was taken out of this bill?

Mr. POLEN. Mr. Speaker, I could not tell the gentleman why it was taken out.

Mr. FARABAUGH. All right. Mr. Speaker, I want to say in passing, the fact that the Milk Control Commission members have been taken out of this bill is in line with what has been going on here through the Session of the Legislature with any requests for agriculture.

Mr. POLEN. Mr. Speaker, I might say, while I do not know the reason they were taken out, it was my understanding that the two items objected to by many of the Members was the salary increase for the Milk Control Commission and the Liquor Control Board. For that reason I believe they were removed, due to objections.

Mr. FARABAUGH. Mr. Speaker, I ask the gentleman what the increase is to the Chairman and the members of the Turnpike Commission.

Mr. POLEN. Mr. Speaker, the present salary of the chairman of the Turnpike Commission is \$15,000, and he is increased to \$17,000; the present salaries of the members of the Pennsylvania Turnpike Commission is \$13,000, and they are increased to \$15,000, or an increase of \$2,000 for each office.

Mr. FARABAUGH. An increase of \$2,000 for each member?

Mr. POLEN. That is correct.

Mr. FARABAUGH. Mr. Speaker, I ask what the increase is to the chairman and members of Tax Equalization Board?

Mr. POLEN. The present salary of the chairman of the State Tax Equalization Board is \$12,000. He is increased \$2,000, to \$14,000. The present salary of the members of the State Tax Equalization Board is \$11,000. They are increased \$2,000, to \$13,000.

Mr. FARABAUGH. Can the gentleman tell me how often the Board meets?

Mr. POLEN. I could not state the exact number of days the Board meets. I know that the Chairman is in his office five days a weeks.

Mr. FARABAUGH. Mr. Speaker, I ask what the increase is to the chairman and members of the Pennsylvania Labor Relations Board.

Mr. POLEN. The present salary of the Chairman is \$9,000 and it is increased \$3,000, to \$12,000. The salary of the members of the Pennsylvania Labor Relations Board is \$8,500. They are increased \$2,500, to \$11,000.

Mr. FARABAUGH. Do I understand the gentleman that the chairman of that Board has been increased \$3,000 and the members each \$2,500; is that correct?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. FARABAUGH. Does the gentleman know how many days per month that Board works?

Mr. POLEN. Mr. Speaker, I do not know the number of days that Board works.

Mr. FARABAUGH. Mr. Speaker, I ask what the increase is to the members of the Pennsylvania Security Commission.

Mr. POLEN. The present salary of the chairman is \$10,500 and has been increased \$3,500, to \$14,000. The present salary of the members of the Pennsylvania Security Commission is \$10,000, and they are increased \$3,000, to \$13,000.

Mr. FARABAUGH. Mr. Speaker, I ask the gentleman what the increase is to the chairman and members of the Workmen's Compensation Board?

Mr. POLEN. The present salary of the chairman of the Workmen's Compensation Board is \$11,500, and it is increased \$2,500, to \$14,000. The salary of the members at present is \$11,000 and that is increased \$2,000, to \$13,000.

Mr. FARABAUGH. Mr. Speaker, I ask the gentleman what the chairman and members of the Unemployment Compensation Board receive.

Mr. POLEN. The present salary of the chairman of the Unemployment Compensation Board of Review is \$11,500 and it is increased \$2,500, to \$14,000, and the present salary of the members of the Unemployment Compensation Board of Review is \$11,000, increased \$2,000, to \$13,000.

Mr. FARABAUGH. Mr. Speaker, I ask the gentleman what the increase is to the members of the Workmen's Compensation Referees?

Mr. POLEN. Mr. Speaker, the present salary of the Workmen's Compensation Referees is \$7,500, increased \$2,500, to \$10,000.

Mr. FARABAUGH. Does the gentleman know how many referees there are in the state?

Mr. POLEN. Mr. Speaker, I do not have my sheet that shows the number.

Mr. FARABAUGH. I think I can enlighten the gentleman. There are in the neighborhood of 20.

Mr. POLEN. I believe that is correct, unless there are some vacancies.

Mr. FARABAUGH. More or less.

Mr. POLEN. I think there are presently 18 employed.

Mr. FARABAUGH. Does the gentleman know how many days those referees work per month?

Mr. POLEN. Mr. Speaker, it is my understanding that they work every day, and there is at the present time a heavy backlog which they have not been able to catch up with.

Mr. FARABAUGH. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I beg to differ with the last statement

made by Mr. Polen, that the referees work full time. I believe you all realize that is not the case.

I would like to say right here in connection with something that has been said here in this House just recently, I think some of the statements that were made here in connection with House Bill 2347 should be considered before you vote on this bill. We have had before us here during this Session many bills requiring increases that are putting a higher levy on the taxpayers of this state, about which we claim to be concerned, and I am concerned about.

As I have stated here before, I am one who would like to pay a reasonable salary or wage to people for the work they do. I am opposed to paying excessive salaries or wages to people who are now receiving what they earn or more. We have been wrestling with this problem of taxes and finding ways to provide the necessary money for things that are, in my opinion, badly needed, such as the ones which were just discussed, 2347. That is actually something for the protection of the public, and we cannot find money for that.

We have had to cut down on the school subsidy necessarily in this Session because there is not sufficient money to do the things we would like to have done. We have had requests, and justly so, for increases in teachers' salaries. There are many of them working for as low as \$3,600 a year, less money than the increases in some of these salaries amount to, saying nothing about the original salaries, and we do not have money to do it. We have people working on our highways who are keeping the roads in condition for us to travel on, a lot of them working at a lousey wage that they can hardly live on because of the scarcity of money.

I want to say to the Members of this House, I think this is just another one of those unreasonable things that somebody is asking us to do at the expense of the taxpayers of this state, and I hope every Member of this House will vote against this bill and I ask for a slow roll call.

Mr. SHERMAN. Mr. Speaker, I am sure you will agree that most of us, or nearly all of us, are as interested when it comes to the educational program or teachers' program as the previous speaker. Some day in the near future, as I have often stated, perhaps a special part of the Session can be devoted to that particular problem and those who are entitled to more pay be paid, and also that the school districts will not suffer as a result of anything.

We are all in favor, but we should not wave a flag each time a bill for an increase comes up and refer to the school districts time and time again. Here we have people who have not received any increases perhaps for 20 years, some of whom are like the Workmen's Compensation Referee. I take issue with the previous speaker, as one of them is a former Member of the House, Mayer Herman. I do know the great amount of work that he has been put to with the backlog and back load that they have at the present time, at least in the Philadelphia area. I am sure the same thing exists in other areas where the increase of a few thousand dollars over a brief period of time.

I and a good many others are often against increases, but I feel where increases deserve merit and your proper attention, they should be given your attention. I would rather have an honest parole and pardon board than any

pardon board of any other nature, and we cannot complain of them. I think the increases set forth for most of these people are small in comparison to the boost in the living cost over the period of ten or twenty years, and a \$2,000 increase for a compensation referee who has quite a backlog is not asking too much. In fact, when you come to the Unemployment Compensation Board of Review, where there is an increase from \$11,000 to \$13,000, it does not cost the state of Pennsylvania one dime as such, because their pay is given to them—to the state—by the Federal government. Therefore, I ask the complete support of this bill.

Mr. FARABAUGH. Mr. Speaker, I would like to just make a very short comment.

Two things. First of all, the reference to the fact that it has been so long since they received any increase, in my opinion, has no bearing. It is a question of whether they are receiving what they should at the present time.

Then, this thing I want to mention, that I intended to say when I was here before, is, I believe, as I said on this bill, there are people on that list who are entitled to more pay than they are now getting, but I do not believe that you will correct that situation by a blanket increase across the board. I have stated to some of the leaders in this group heretofore in discussing this bill that I am willing to go along with some raises in this bill that are justified, but not to those all the way across the board which are not justified and we do not have the money to do it with.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—75

| | | | |
|------------|---------------|--------------------|------------|
| Anderson, | Foerster, | McCormack, | Reibman, |
| Arlene, | Frank, | McDonald, | Rovansek, |
| Boles, | Frascella, | McKeever, | Sakulsky, |
| Bonner, | Galley, | Maxwell, | Scarcelli, |
| Branca, | Gallagher, | Meholchick, | Schuster, |
| Breth, | Gelfand, | Mihm, | Sherman, |
| Buchanan, | Hamilton, | Mills, | Shupnik, |
| Burns, | Holt, | Monroe, | Silverman, |
| Capano, | Irviss, | Muldowney, | Snider, |
| Cioffi, | Jim, | Mullen, | Stank, |
| Clarke, | Jones, F. R., | Munley, | Stone, |
| Comer, | Kamyk, | Murphy, A. J., Jr. | Sullivan, |
| Crossin, | Kovolenko, | Needham, | Taylor, |
| Curwood, | Leonard, | O'Donnell, J. A., | Varallo, |
| Devlin, | Limper, | O'Donnell, J. P. | Verona, |
| Dougherty, | Lopresti, | Petrosky, | Wargo, |
| Eilberg, | Luigard, | Polaski, | Welsh, |
| Filo, | Lutty, | Polen, | Yetter, |
| Flynn, | McCann, | Prendergast, | |

NAYS—109

| | | | |
|-------------|-------------------|----------------|-----------------------|
| Agnew, | Goldstein, J. H., | McInroy, | Steckel, |
| Ashton, | Goodrich, | Machmer, | Stevens, |
| Auker, | Gramlich, | Magee, | Stewart, |
| Balthaser, | Guthrie, | Mahan, | Stimmel, |
| Barton, | Heavey, | Markley, | Stoner, |
| Bell, | Heffner, | Merry, | Strausser, |
| Blair, | Henzel, | Miller, B. Z., | Stroup, |
| Boris, | Hocker, | Miller, H. G., | Thompson, |
| Bower, | Holliday, | Murphy, P. J., | Tompkins, |
| Bowman, | Horst, | Murray, H. P., | Ujobal, |
| Brenninger, | Isaacs, | Murray, J. J., | Varner, |
| Cianfrani, | Jenkins, | Murray, P. G., | Wall, |
| Davis, | Johnson, A. W., | Naugle, | Weldner, |
| Dengler, | Johnson, R., | Nelson, | Wescott, |
| Dennison, | Jump, | O'Dell, | Whittaker, |
| Donahue, | Kee, | Odorisio, | Williams, A. D., Jr., |
| Donaldson, | Kelser, | Ogilvie, | Williams, E. S., |
| Down, | Kernaghan, | O'Neill, | Willard, |
| Edwards, | Kessler, | Pashley, | Willaredt, |

Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Fox,
Fulmer,
Garlock,
George,

Knecht,
Kooker,
Korns,
Kubitsky,
Lee, A. M.,
Lee, K. B.,
Light,
Lippincott,
McCandless,

Price,
Pursley,
Renwick,
Rigby,
Royer,
Rudisill,
Seltzer,
Snare,

Wilt,
Wood,
Worley,
Wynd,
Yatron,
Zimmerman,
Andrews,
Speaker

NOT VOTING—25

Brown,
Capitolo,
Cooper,
Dennis,
Fineman,
Floyd,
Gibb,

Goldstein, M. H.,
Helm,
Jones, T. H. W.,
Kornick,
Lamb,
McLaughlin,

Moran,
Musto,
Parlante,
Perry, H. H.,
Perry, P. E.,
Reidenbach,

Riley,
Schaaf,
Schwartz,
Trusio,
Walsh,
Wheeler,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2293, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in that borough.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Fulmer, | McCormack, | Royer, |
| Anderson, | Galley, | McDonald, | Rudisill, |
| Arlene, | Gallagher, | McInroy, | Sakulsky, |
| Ashton, | Garlock, | McKeever, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schuster, |
| Balthaser, | George, | Machmer, | Seltzer, |
| Barton, | Goldstein, J. H., | Magee, | Sherman, |
| Bell, | Goldstein, M. H., | Mahan, | Shupnik, |
| Blair, | Goodrich, | Markley, | Silverman, |
| Boles, | Gramlich, | Maxwell, | Snare, |
| Bonner, | Guthrie, | Meholchick, | Snider, |
| Boris, | Hamilton, | Merry, | Stank, |
| Bower, | Heavey, | Mihm, | Steckel, |
| Bowman, | Heffner, | Miller, B. Z., | Stevens, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Breth, | Holliday, | Monroe, | Stone, |
| Buchanan, | Holt, | Muldowney, | Stoner, |
| Burns, | Horst, | Mulen, | Strausser, |
| Capano, | Irviss, | Munley, | Stroup, |
| Capitolo, | Isaacs, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Jenkins, | Murphy, P. J., | Taylor, |
| Cioffi, | Jim, | Murray, H. P. | Thompson, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Tompkins, |
| Comer, | Johnson, R., | Murray, P. G., | Trusio, |
| Crossin, | Jones, F. R., | Musto, | Ujobal, |
| Curwood, | Jones, T. H. W., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dengler, | Kamyk, | Nelson, | Verona, |
| Dennison, | Kee, | O'Dell, | Wall, |
| Devlin, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Donaldson, | Kessler, | Odorisio, | Weldner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neill, | Wescott, |
| Edwards, | Korns, | Parlante, | Whittaker, |
| Eilberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willaredt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wilt, |
| Fetterolf, | Leonard, | Polen, | Wood, |
| Filo, | Light, | Prendergast, | Worley, |
| Fineman, | Limper, | Price, | Wynd, |
| Floyd, | Lippincott, | Pursley, | Yatron, |

| | | | |
|--|--|--|--|
| Flynn, Foerster, Fox, Frank, Frascella, | Lopresti, Luigard, Lutty, McCandless, McCann, | Reibman, Renwick, Rigby, Rovanssek, | Yetter, Zimmerman, Andrews, Speaker |
|--|--|--|--|

NAYS—0

NOT VOTING—12

| | | | |
|--|---|--|---|
| Brown, Cooper Dennis, | Gibb, Helm, Kornick, | Moran, Reidenbach, Riley, | Schaaf, Schwartz, Wheeler, |
|--|---|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2442, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further regulating the swearing to and affirming of certain informations charging summary offenses and the filing of such informations with courts having jurisdiction thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1201), page 3, line 7, by inserting after "officer": "except in cities of the second class."

Amend Sec. 1 (Sec. 1201), page 3, line 7, by striking out the bracket before "file" and after "sworn."

Amend Sec. 1 (Sec. 1201), page 3, line 7, by striking out "swear to or affirm an."

Amend Sec. 1 (Sec. 1201), page 3, lines 7 to 9, by striking out "be-" in line 7, all of line 8, and "or affirmations and shall file such information" in line 9.

Amend Sec. 1 (Sec. 1201), page 3, line 10, by striking out "within five (5) days thereafter."

Amend Sec. 1 (Sec. 1201), page 3, line 11, by inserting after "act": "and in cities of the second class the police officer shall swear to or affirm an information before a notary public or any other person authorized to administer oaths or affirmations and shall file such informations charging the violation of the specific summary provisions of this act within five (5) days thereafter with the court having jurisdiction under this act."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, next to last line of Title, by striking out "shall" and inserting: "in counties of the eighth class may."

Amend Sec. 1 (Sec. 602), page 2, line 5, by inserting after "county": "of the eighth class."

Amend Sec. 1 (Sec. 602), page 3, line 4, by striking out "June" and inserting: "April."

Amend Sec. 1 (Sec. 602), page 3, lines 5 to 7, by striking out all of lines 5 and 6, and "changing from the valuation or assessment of the previous year" in line 7 and inserting: "all appeals of assessments will have been heard as provided in section 702.1 and all decisions rendered by the board."

Amend Sec. 1 (Sec. 602), page 3, line 9, by striking out "shall" and inserting: "may."

Amend Sec. 1 (Sec. 602), page 3, line 11, by striking out "shall" and inserting: "may."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. DAVIS. Mr. Speaker, since this bill was introduced there have come to the surface several points of conflict with the interests of other counties. I feel that these points that have been raised are valid and these amendments seek to correct these points of conflict.

Briefly, one of them makes this bill a "may" bill and another part of the amendments restricts it only to eighth class counties. I hope in that case, since it is optional or will be optional, that it can meet with the approval of the representatives from counties where it would have conflicted.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2449, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate one of the sponsors of this bill.

The SPEAKER pro tempore. Will the lady from Northampton, Mrs. Reibman, permit herself to be interrogated?

Mrs. REIBMAN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. TOMPKINS. Mr. Speaker, it is my understanding that this bill is in the same form as the amendment which was defeated on November 3rd, with the exception that they have changed the borrowing by vote from 15 to 13 percent.

Mrs. REIBMAN. That is correct, Mr. Speaker.

Mr. TOMPKINS. I thank the lady.

Mr. Speaker, I must agree that perhaps many people did not understand fully what the import of this amendment was when they voted on it on November 3rd. It comes to my mind, however, that one of the things we are trying to control in this state is authority financing. Some of the objections against the amendments on the ballot on November 3rd, was the fact that we did not specifically outlaw authority financing. I am wondering if it might not be a wise thing to do, maybe, while we are doing this and granting this increased power to the school districts, to also specifically outlaw that type of financing, that is to say, authority financing. I think we should expand the powers of the school districts to be able to get their work done, but while we are doing it, if we ever want to control this authority financing some place, somewhere, we must make a start. I am wondering, inasmuch as we are re-running this particular amendment, why we could not now put this in.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Fulmer, | McCormack, | Royer, |
| Anderson, | Galley, | McDonald, | Rudisill, |
| Arlene, | Gallagher, | McInroy, | Sakulsky, |
| Ashton, | Garlock, | McKeever, | Scarcell, |
| Auker, | Gelfand, | McLaughlin, | Schuster, |
| Balthaser, | George, | Machmer, | Seltzer, |
| Barton, | Goldstein, J. H., | Magee, | Sherman, |
| Bell, | Goldstein, M. H., | Mahan, | Shupnik, |
| Blair, | Goodrich, | Markley, | Silverman, |
| Boles, | Gramlich, | Maxwell, | Snare, |
| Bonner, | Guthrie, | Meholchick, | Snider, |
| Boris, | Hamilton, | Merry, | Stank, |
| Bower, | Heavey, | Mihm, | Steckel, |
| Bowman, | Heffner, | Miller, B. Z., | Stevens, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Breth, | Holliday, | Monroe, | Stone, |
| Buchanan, | Holt, | Muldowney, | Stoner, |
| Burns, | Horst, | Mullen, | Strausser, |
| Capano, | Irlvis, | Munley, | Stroup, |
| Capitolo, | Isaacs, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Jenkins, | Murphy, P. J., | Taylor, |
| Cioffi, | Jim, | Murray, H. P., | Thompson, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Tompkins, |
| Comer, | Johnson, R., | Murray, P. G., | Trusio, |
| Crossin, | Jones, F. R., | Musto, | Ujobal, |
| Curwood, | Jones, T. H. W., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dengler, | Kamyk, | Nelson, | Verona, |
| Dennison, | Kee, | O'Dell, | Wall, |
| Devlin, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Donaldson, | Kessler, | Odorisio, | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neill, | Wescott, |
| Edwards, | Korns, | Parlante, | Whittaker, |
| Elberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willaredt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wilt, |
| Fetterolf, | Leonard, | Polen, | Wood, |
| Filo, | Light, | Prendergast, | Worley, |
| Fineman, | Limper, | Price, | Wynd, |
| Floyd, | Lippincott, | Pursley, | Yatron, |

Flynn,
Foerster,
Fox,
Frank,
Frascella,

Lopresti,
Luigard,
Lutty,
McCandless,
McCann,

Reibman,
Renwick,
Rigby,
Rovanssek,

Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—12

Brown,
Cooper,
Dennis,

Gibb,
Helm,
Kornick,

Moran,
Reidenbach,
Riley,

Schaaf,
Schwartz,
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2450, entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance * * *" further providing for the time within which limited life insurance companies may be formed.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommended to the Committee on Insurance.

The motion was agreed to.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Cambria. The Chair enjoys the occasion once in a while to circulate among the Members when they have something to talk about.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 160, entitled:

An Act amending the act of May 4 1927 (P. L. 519) entitled "The Borough Code" authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners under certain conditions.

An said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—157

Agnew,
Anderson,
Arlene,
Balthaser,
Blair,
Boles,
Bonner,
Boris,
Bowman,
Branca,
Breth,
Buchanan,

Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
George,
Goldstein, M. H.,
Goodrich,
Gramlich,
Guthrie,
Heavey,
Heffner,

McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Mihm,
Mills,
Monroe,
Muldowney,
Mullen,

Sakulsky,
Scarcell,
Schuster,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stevens,

| | | | |
|------------|-----------------|--------------------|------------------|
| Burns, | Hocker, | Munley, | Stimmel, |
| Capano, | Holt, | Murphy, A. J., Jr. | Stone, |
| Capitolo, | Irvls, | Murray, H. P., | Strausser, |
| Cianfrani, | Jenkins, | Murray, J. J., | Stroup, |
| Cioffi, | Jim, | Murray, P. G., | Sullivan, |
| Clarke, | Johnson, A. W., | Musto, | Taylor, |
| Comer, | Jones, F. R., | Naugle, | Thompson, |
| Crossin, | Jump, | Needham, | Tompkins, |
| Curwood, | Kamyk, | Nelson, | Trusio, |
| Dennison, | Kee, | O'Donnell, J. A., | Varallo, |
| Devlin, | Keiser, | O'Donnell, J. P. | Varner, |
| Donahue, | Kessler, | Ogilvie, | Verona, |
| Donaldson, | Knecht, | Parlante, | Wall, |
| Dougherty, | Kooker, | Pashley, | Walsh, |
| Down, | Korns, | Perry, H. H., | Wargo, |
| Ellberg, | Kovolenko, | Perry, P. E., | Weidner, |
| Eshback, | Kubitsky, | Petrosky, | Welsh, |
| Eshleman, | Lamb, | Polaski, | Wescott, |
| Ewing, | Lee, K. B., | Polen, | Williams, E. S., |
| Farabaugh, | Leonard, | Prendergast, | Willard, |
| Filo, | Limper, | Price, | Wilt, |
| Fineman, | Lopresti, | Reibman, | Wynd, |
| Floyd, | Luigard, | Yatron, | Yetter, |
| Flynn, | McCann, | Rigby, | Zimmerman, |
| Foerster, | McCormack, | Rovansek, | Andrews, |
| Fox, | McDonald, | Royer, | Speaker |
| Frank, | McInroy, | Rudisill, | |
| Frascella, | McKeever, | | |

NAYS—40

| | | | |
|-------------|-------------------|----------------|----------------------|
| Ashton, | Goldstein, J. H., | Light, | O'Neil, |
| Auker, | Hamilton, | Lippincott, | Pursley, |
| Barton, | Henzel, | Lutty, | Stewart, |
| Bell, | Holliday, | McCandless, | Stoner, |
| Bower, | Horst, | Merry, | Ujobal, |
| Brenninger, | Isaacs, | Miller, B. Z., | Whittaker, |
| Davis, | Johnson, R., | Miller, H. G., | Williams, A.D., Jr., |
| Dengler, | Jones, T. H. W., | Murphy, P. J., | Willard, |
| Edwards, | Kernaghan, | O'Dell, | Willaredt, |
| Fetterolf, | Lee, A. M., | Odorisio, | Wilt, |

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL PASSED OVER

There being no objection

Senate Bill No. 428, Printer's No. 460 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 471, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

An said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

| | | | |
|------------|------------|-------------|------------|
| Agnew, | Fulmer, | McCormack, | Royer, |
| Anderson, | Gallagher, | McDonald, | Rudisill, |
| Arlene, | Garlock, | McInroy, | Sakulsky, |
| Ashton, | Gelfand, | McKeever, | Scarcelli, |
| Balthaser, | George, | McLaughlin, | Schuster, |

| | | | |
|-------------|-------------------|---------------------|----------------------|
| Barton, | Goldstein, J. H., | Machmer, | Seltzer, |
| Bell, | Goldstein, M. H., | Magee, | Sherman, |
| Blair, | Goodrich, | Mahan, | Shupnik, |
| Boies, | Gramlich, | Markley, | Silverman, |
| Bonner, | Guthrie, | Maxwell, | Snare, |
| Borls, | Hamilton, | Meholchick, | Snider, |
| Bower, | Heavey, | Merry, | Stank, |
| Bowman, | Heffner, | Mihm, | Steckel, |
| Branca, | Henzel, | Miller, B. Z., | Stevens, |
| Brenninger, | Hocker, | Miller, H. G., | Stewart, |
| Breth, | Holliday, | Mills, | Stimmel, |
| Buchanan, | Holt, | Monroe, | Stone, |
| Burns, | Horst, | Muldowney, | Stoner, |
| Capano, | Irvls, | Mullen, | Strausser, |
| Capitolo, | Isaacs, | Munley, | Stroup, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr., | Sullivan, |
| Cioffi, | Jim, | Murphy, P. J., | Taylor, |
| Clarke, | Johnson, A. W., | Murray, H. P. | Thompson, |
| Comer, | Johnson, R., | Murray, J. J., | Tompkins, |
| Crossin, | Jones, F. R., | Murray, P. G., | Trusio, |
| Curwood, | Jones, T. H. W., | Musto, | Ujobal, |
| Davis, | Jump, | Naugle, | Varallo, |
| Dengler, | Kamyk, | Needham, | Varner, |
| Dennison, | Kee, | Nelson, | Verona, |
| Devlin, | Keiser, | O'Dell, | Wall, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kessler, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Knecht, | Odorisio, | Weidner, |
| Down, | Kooker, | Ogilvie, | Welsh, |
| Edwards, | Korns, | O'Neil, | Wescott, |
| Ellberg, | Kovolenko, | Parlante, | Whittaker, |
| Eshback, | Kubitsky, | Pashley, | Williams, A.D., Jr., |
| Eshleman, | Lamb, | Perry, H. H., | Williams, E. S., |
| Ewing, | Lee, A. M., | Perry, P. E., | Willard, |
| Farabaugh, | Lee, K. B., | Petrosky, | Willaredt, |
| Fetterolf, | Leonard, | Polaski, | Wilt, |
| Filo, | Light, | Polen, | Wood, |
| Fineman, | Limper, | Prendergast, | Worley, |
| Floyd, | Lippincott, | Price, | Wynd, |
| Flynn, | Lopresti, | Pursley, | Yatron, |
| Foerster, | Luigard, | Reibman, | Yetter, |
| Fox, | Lutty, | Renwick, | Zimmerman, |
| Frank, | McCandless, | Rigby, | Andrews, |
| Frascella, | McCann, | Rovansek, | Speaker |

NAYS—2

Auker,

Galley,

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 472, entitled:

An Act amending the act of May 15 1933 (P. L. 624) entitled as amended "Banking Code" authorizing certain banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

An said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

| | | | |
|-----------|------------|------------|-----------|
| Agnew, | Fulmer, | McCormack, | Royer, |
| Anderson, | Gallagher, | McDonald, | Rudisill, |
| Arlene, | Garlock, | McInroy, | Sakulsky, |

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Ashton, | Gelfand, | McKeever, | Scarcelli, |
| Auker, | George, | McLaughlin, | Schuster, |
| Balthaser, | Goldstein, J. H., | Machmer, | Seltzer, |
| Barton, | Goldstein, M. H., | Magee, | Sherman, |
| Bell, | Goodrich, | Mahan, | Shupnik, |
| Blair, | Gramlich, | Markley, | Silverman, |
| Boles, | Guthrie, | Maxwell, | Snare, |
| Bonner, | Hamilton, | Meholchick, | Snider, |
| Boris, | Heavey, | Merry, | Stank, |
| Bower, | Heffner, | Mihm, | Steckel, |
| Bowman, | Henzel, | Miller, B. Z., | Stevens, |
| Branca, | Hocker, | Miller, H. G., | Stewart, |
| Brenninger, | Holliday, | Mills, | Stimmel, |
| Breth, | Holt, | Monroe, | Stone, |
| Buchanan, | Horst, | Muldowney, | Stoner, |
| Burns, | Irvis, | Mullen, | Strausser, |
| Capano, | Isaacs, | Munley, | Stroup, |
| Capitolo, | Jenkins, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Jim, | Murphy, P. J., | Taylor, |
| Cioffi, | Johnson, A. W., | Murray, H. P. | Thompson, |
| Clarke, | Johnson, R., | Murray, J. J., | Tompkins, |
| Comer, | Jones, F. E., | Murray, P. G., | Trusio, |
| Crossin, | Jones, T. H. W., | Musto, | Ujobai, |
| Curwood, | Jump, | Naugle, | Varallo, |
| Davis, | Kamyk, | Needham, | Varner, |
| Dengler, | Kee, | Nelson, | Verona, |
| Dennison, | Kelser, | O'Dell, | Wall, |
| Devlin, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kessler, | O'Donnell, J. P., | Wargo, |
| Donaldson, | Knecht, | Odoriso, | Weidner, |
| Dougherty, | Kooker, | Ogilvie, | Welsh, |
| Down, | Korns, | O'Neil, | Wescott, |
| Edwards, | Kovolenko, | Parlante, | Whittaker, |
| Ellberg, | Kubitsky, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Lamb, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lee, A. M., | Perry, P. E., | Willard, |
| Ewing, | Lee, K. B., | Petrosky, | Willaredt, |
| Farabaugh, | Leonard, | Polaski, | Wilt, |
| Fetterolf, | Light, | Polen, | Wood, |
| Filo, | Limper, | Prendergast, | Worley, |
| Fineman, | Lippincott, | Price, | Wynd, |
| Floyd, | Lopresti, | Pursley, | Yatron, |
| Flynn, | Luigard, | Reibman, | Yetter, |
| Foerster, | Lutty, | Renwick, | Zimmerman, |
| Fox, | McCandless, | Rigby, | Andrews, |
| Frank, | McCann, | Rovansek, | Speaker |
| Frascella, | | | |

NAYS—1

Galley,

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 473, entitled:

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

An said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Fulmer, | McCormack, | Royer, |
| Anderson, | Gallagher, | McDonald, | Rudisill, |
| Arlene, | Garlock, | McInroy, | Sakulsky, |
| Ashton, | Gelfand, | McKeever, | Scarcelli, |
| Auker, | George, | McLaughlin, | Schuster, |
| Balthaser, | Goldstein, J. H., | Machmer, | Seltzer, |
| Barton, | Goldstein, M. H., | Magee, | Sherman, |
| Bell, | Goodrich, | Mahan, | Shupnik, |
| Blair, | Gramlich, | Markley, | Silverman, |
| Boles, | Guthrie, | Maxwell, | Snare, |
| Bonner, | Hamilton, | Meholchick, | Snider, |
| Boris, | Heavey, | Merry, | Stank, |
| Bower, | Heffner, | Mihm, | Steckel, |
| Bowman, | Henzel, | Miller, B. Z., | Stevens, |
| Branca, | Hocker, | Miller, H. G., | Stewart, |
| Brenninger, | Holliday, | Mills, | Stimmel, |
| Breth, | Holt, | Monroe, | Stone, |
| Buchanan, | Horst, | Muldowney, | Stoner, |
| Burns, | Irvis, | Mullen, | Strausser, |
| Capano, | Isaacs, | Munley, | Stroup, |
| Capitolo, | Jenkins, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Jim, | Murphy, P. J., | Taylor, |
| Cioffi, | Johnson, A. W., | Murray, H. P., | Thompson, |
| Clarke, | Johnson, R., | Murray, J. J., | Tompkins, |
| Comer, | Jones, F. E., | Murray, P. G., | Trusio, |
| Crossin, | Jones, T. H. W., | Musto, | Ujobai, |
| Curwood, | Jump, | Naugle, | Varallo, |
| Davis, | Kamyk, | Needham, | Varner, |
| Dengler, | Kee, | Nelson, | Verona, |
| Dennison, | Kelser, | O'Dell, | Wall, |
| Devlin, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kessler, | O'Donnell, J. P., | Wargo, |
| Donaldson, | Knecht, | Odoriso, | Weidner, |
| Dougherty, | Kooker, | Ogilvie, | Welsh, |
| Down, | Korns, | O'Neil, | Wescott, |
| Edwards, | Kovolenko, | Parlante, | Whittaker, |
| Ellberg, | Kubitsky, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Lamb, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lee, A. M., | Perry, P. E., | Willard, |
| Ewing, | Lee, K. B., | Petrosky, | Willaredt, |
| Farabaugh, | Leonard, | Polaski, | Wilt, |
| Fetterolf, | Light, | Polen, | Wood, |
| Filo, | Limper, | Prendergast, | Worley, |
| Fineman, | Lippincott, | Price, | Wynd, |
| Floyd, | Lopresti, | Pursley, | Yatron, |
| Flynn, | Luigard, | Reibman, | Yetter, |
| Foerster, | Lutty, | Renwick, | Zimmerman, |
| Fox, | McCandless, | Rigby, | Andrews, |
| Frank, | McCann, | Rovansek, | Speaker |
| Frascella, | | | |

NAYS—1

Galley,

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 667, entitled:

An Act amending the act of January 14 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein * * *" further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty on order that they may obtain such training.

On the question,

Will the House agree to the bill on third reading?

Mr. POLASKI asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2), page 2, line 13, by striking out "shall" and inserting: "may."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

Senate Bill No. 971, Printer's No. 1581; and

Senate Bill No. 1043, Printers No. 1234

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1066, entitled:

A Supplement to the act of July 15 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes, changing certain fees fixed by the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Agnew,
Anderson,
Arlene,
Ashton,

Galley,
Gallagher,
Garlock,
Gelfand,

McCann,
McCormack,
McDonald,
McInroy,

Rigby,
Rovanssek,
Royer,
Rudisill,

Balthaser,
Bell,
Blair,
Boles,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Brenninger,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Esileman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,
Frascella,
Fulmer,

George,
Goldstein, J. H.,
Goldstein, M. H.,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Heffner,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irvis,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Jump,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,
McKeever,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Merry,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Monroe,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Murray, P. G.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. F.,
Odorisio,
Ogilvie,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,

Sakulsky,
Scarcelli,
Schuster,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Steckel,
Stevens,
Stewart,
Stimmel,
Stone,
Stoner,
Strausser,
Stroup,
Sullivan,
Taylor,
Thompson,
Tompkins,
Trusio,
Ujohal,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Williams, A. D. Jr.,
Williams, E. S.,
Willaredt,
Wilt,
Wood,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—4

Auker,

Barton,

Willard,

Worley,

NOT VOTING—12

Brown,
Cooper,
Dennis,

Gibb,
Helm,
Kornick,

Moran,
Reidenbach,
Riley,

Schaaf,
Schwartz,
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS PASSED OVER

There being no objection

Senate Bill No. 1180, Printer's No. 1442;

Senate Bill No. 1220, Printer's No. 1525; and

Senate Bill No. 1223, Printer's No. 1528

were passed over at the request of the SPEAKER.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate Bill No. 380, entitled:

An Act amending the act of May 15 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Frascella, | McCann, | Rudisill, |
| Anderson, | Fulmer, | McCormack, | Sakulsky, |
| Arlene, | Gallagher, | McDonald, | Scarcelli, |
| Ashton, | Garlock, | McInroy, | Schuster, |
| Auker, | George, | McKeever, | Seltzer, |
| Balthaser, | Goldstein, J. H., | McLaughlin, | Shupnik, |
| Barton, | Goldstein, M. H., | Machmer, | Silverman, |
| Bell, | Goodrich, | Magee, | Snare, |
| Blair, | Gramlich, | Mahan, | Snider, |
| Bonner, | Guthrie, | Markley, | Stank, |
| Boris, | Hamilton, | Maxwell, | Steckel, |
| Bower, | Heavy, | Meholchick, | Stevens, |
| Bowman, | Heffner, | Merry, | Stewart, |
| Branca, | Henzel, | Mihm, | Stimmel, |
| Brenninger, | Hocker, | Miller, B. Z., | Stone, |
| Breth, | Holliday, | Miller, H. G., | Stoner, |
| Buchanan, | Holt, | Mills, | Strausser, |
| Burns, | Horst, | Monroe, | Stroup, |
| Capano, | Irviss, | Muldowney, | Sullivan, |
| Capitolo, | Isaacs, | Mullen, | Taylor, |
| Cianfrani, | Jenkins, | Munley, | Thompson, |
| Cioffi, | Jim, | Murphy, A. J., Jr. | Tompkins, |
| Clarke, | Johnson, A. W., | Murphy, P. J., | Trusio, |
| Comer, | Johnson, R., | Murray, H. P., | Ujobai, |
| Crossin, | Jones, F. R., | Murray, J. J., | Varallo, |
| Curwood, | Jones, T. H. W., | Murray, P. G., | Varner, |
| Davis, | Jump, | Musto, | Verona, |
| Dengler, | Kamyk, | Naugle, | Wall, |
| Dennison, | Kee, | Needham, | Walsh, |
| Devlin, | Kelser, | O'Dell, | Wargo, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Weidner, |
| Donaldson, | Kessler, | O'Donnell, J. P., | Welsh, |
| Dougherty, | Knecht, | Odorisio, | Wescott, |
| Down, | Kooker, | Ogilvie, | Whittaker, |
| Edwards, | Korns, | O'Neil, | Williams, A. D., Jr., |
| Elberg, | Kovolenko, | Parlante, | Williams, E. S., |
| Eshback, | Kubitsky, | Pashley, | Willard, |
| Eshleman, | Lamb, | Perry, P. E., | Willaredt, |
| Ewing, | Lee, A. M., | Petrosky, | Wilt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wood, |
| Fetterolf, | Leonard, | Polen, | Worley, |
| Filo, | Light, | Prendergast, | Wynd, |
| Fineman, | Limper, | Price, | Yatron, |
| Floyd, | Lippincott, | Pursley, | Yetter, |
| Flynn, | Lopresti, | Renwick, | Zimmerman, |
| Foerster, | Luigard, | Rigby, | Andrews, |
| Fox, | Lutty, | Rovansek, | Speaker |
| Frank, | McCandless, | Royer, | |

NAYS—7

| | | | |
|---------|----------|---------------|----------|
| Boles, | Geifand, | Perry, H. H., | Sherman, |
| Galley, | Nelson, | Reibman, | |

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate Bill No. 510, entitled:

An Act amending the act of June 7, 1901 (P. L. 493), entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of

plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof," permitting the use of rigid polyvinyl chloride pipe and providing for the joining of pipes.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—59

| | | | |
|-------------|-------------------|----------------|------------------|
| Ashton, | Goldstein, J. H., | McCann, | Snare, |
| Blair, | Goodrich, | McInroy, | Steckel, |
| Bowman, | Gramlich, | Magee, | Stimmel, |
| Brenninger, | Henzel, | Mahan, | Stoner, |
| Davis, | Hooker, | Markley, | Strausser, |
| Dengler, | Holliday, | Miller, H. G., | Tompkins, |
| Dennison, | Horst, | Murray, H. P., | Ujobai, |
| Down, | Johnson, R., | Murray, P. G., | Wall, |
| Eshback, | Kelser, | Nelson, | Wescott, |
| Eshleman, | Kooker, | Ogilvie, | Williams, E. S., |
| Fetterolf, | Lee, A. M., | Perry, H. H., | Willaredt, |
| Fox, | Lee, K. B., | Petrosky, | Wood, |
| Fulmer, | Light, | Price, | Wynd, |
| Galley, | Lippincott, | Royer, | Zimmerman, |
| Garlock, | McCandless, | Seltzer, | |

NAYS—125

| | | | |
|------------|-----------------|---------------------|-----------------------|
| Anderson, | Foerster, | McLaughlin, | Sakulsky, |
| Arlene, | Frank, | Machmer, | Scarcelli, |
| Balthaser, | Frascella, | Maxwell, | Schuster, |
| Barton, | Gallagher, | Meholchick, | Sherman, |
| Bell, | Gelfand, | Merry, | Shupnik, |
| Boles, | Guthrie, | Mihm, | Silverman, |
| Bonner, | Hamilton, | Miller, B. Z., | Snider, |
| Boris, | Heavy, | Mills, | Stank, |
| Bower, | Heffner, | Monroe, | Stevens, |
| Branca, | Holt, | Muldowney, | Stewart, |
| Breth, | Irviss, | Mullen, | Stone, |
| Buchanan, | Isaacs, | Munley, | Stroup, |
| Burns, | Jenkins, | Murphy, A. J., Jr., | Sullivan, |
| Capano, | Jim, | Murphy, P. J., | Taylor, |
| Cianfrani, | Johnson, A. W., | Murray, J. J., | Thompson, |
| Cioffi, | Jones, F. R., | Musto, | Trusio, |
| Clarke, | Jump, | Naugle, | Varallo, |
| Comer, | Kamyk, | Needham, | Varner, |
| Crossin, | Kernaghan, | O'Dell, | Verona, |
| Curwood, | Kessler, | O'Donnell, J. A., | Walsh, |
| Devlin, | Korns, | O'Donnell, J. P., | Wargo, |
| Donahue, | Kovolenko, | O'Neil, | Weidner, |
| Donaldson, | Kubitsky, | Parlante, | Welsh, |
| Dougherty, | Lamb, | Pashley, | Whittaker, |
| Edwards, | Leonard, | Perry, P. E., | Williams, A. D., Jr., |
| Elberg, | Limper, | Polaski, | Willard, |
| Ewing, | Lopresti, | Prendergast, | Wilt, |
| Farabaugh, | Luigard, | Pursley, | Worley, |
| Filo, | Lutty, | Reibman, | Yatron, |
| Floyd, | McCormack, | Renwick, | Yetter, |
| Flynn, | McKeever, | Rigby, | Andrews, |
| | | Rovansek, | Speaker |

NOT VOTING—25

| | | | |
|-----------|-------------------|-----------|-------------|
| Agnew, | George, | Knecht, | Reidenbach, |
| Auker, | Gibb, | Kornick, | Riley, |
| Brown, | Goldstein, M. H., | McDonald, | Rudisill, |
| Capitolo, | Helm, | Moran, | Schaaf, |
| Cooper, | Jones, T. H. W., | Odorisio, | Schwartz, |
| Dennis, | Kee, | Polen, | Wheeler, |
| Fineman, | | | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STONE asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2455, entitled:

An Act amending the Act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payments to the widow and children of members who are killed while on duty.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2456, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), further regulating payments to the widow and children of members who are killed while on duty.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2457, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the residence qualifications of electors.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2455, entitled:

An Act amending the Act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payments to the widow and children of members who are killed while on duty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2456, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), further regulating payments to the widow and children of members who are killed while on duty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2457, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the residence qualifications of electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

CAUCUSES

Mr. McCANN. Mr. Speaker, I request permission to hold a Democratic Caucus for thirty minutes and all Members are asked to bring their calendars with them. Go straight to the caucus room and back here on the Floor of the House, so that we can clear final passage for those bills

that were marked over temporarily for caucus purpose. We want to vote all bills on final passage and third reading today. Whether they pass or fall, they are moving.

Mr. A. W. JOHNSON. Mr. Speaker, we want to call a similar caucus on the Republican side. We will merely caucus on third reading bills. We plan to have a caucus tomorrow on those that were on first and second reading today so that the purpose of this caucus will merely be to clean up third reading. However could we do it in twenty minutes?

Mr. McCANN. Mr. Speaker, on final passage postponed are two bills. On final passage are nine bills.

Mr. A. W. JOHNSON. All right. We will stick to thirty minutes with you then. Everybody bring your calendar and proceed quickly to the caucus room.

Mr. McCANN. Again I repeat. Please go promptly to the New House Caucus Room and bring your calendars with you.

RECESS

The SPEAKER. The Chair declares a recess of one-half hour for the purpose of a Democrat and a Republican Caucus.

The Chair hears no objection.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1207

Mr. J. J. MURRAY. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1207.

The SPEAKER. The report will lie over for printing under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1640.

An Act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed under certain terms and conditions.

HOUSE BILL No. 2028.

An Act amending the act of May 2, 1925 (P. L. 448), entitled "The Fish Law of 1925," further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees.

HOUSE BILL No. 2165.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses.

HOUSE BILL No. 2302.

An Act amending the act of April 28, 1937 (P. L. 417),

entitled "Milk Control Law," further regulating cash sales of milk on farms.

HOUSE BILL No. 2322.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for additional payments to certain school districts.

HOUSE BILL No. 2377.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance of new hotel, restaurant and club liquor licenses.

HOUSE BILL No. 2389.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made.

HOUSE BILL No. 2390.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service.

HOUSE BILL No. 2391.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made.

HOUSE BILL No. 2403.

An Act amending the act of May 27, 1957 (P. L. 203), entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County * * *," changing the location at which the bridge is to be erected.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION CONGRATULATIONS

Mr. SHUPNIK asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, November 17, 1959.

Amedeo Pancotti of 108 Schooley Street, Exeter, Pennsylvania a former Knox Coal Company miner, has been cited by the Carnegie Hero Fund Commission, for his part in making possible the rescue of thirty-two men who were trapped in the Knox mine during the January 22 disaster.

He and fifty-five men were trapped when rock structure gave way allowing ice-choked floodwaters of the Susquehanna River to pour into a mine passage. Digging feverishly through thirty feet of debris, he and three co-workers found themselves surrounded by walls fifty feet below the surface.

Volunteering to attempt to scale the wall, he inched himself upward until he reached the surface where he summoned aid which resulted in the rescue of thirty-two men.

We pause to honor Amedeo Pancotti for his courage and resourcefulness in the face of danger and to congratulate him on the honor conferred upon him; therefore be it

Resolved, That the Members of the House of Representatives pay tribute to Amedeo Pancotti, a man of courage, for his part in leading thirty-two men to safety in the Port Griffith mine disaster of January 22, 1959 and congratulate him on the honor bestowed upon him by the Carnegie Hero Fund Commission; and be it further

Resolved, That a copy of this resolution be transmitted to Amedeo Pancotti, 108 Schooley Street, Exeter, Pennsylvania.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 868

Mr. FRASCELLA, Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 868.

The SPEAKER. This being a Senate Bill, the report will lie over for printing by the Senate.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2264 FROM GOVERNOR

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, November 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2264, Printer's No. 1337, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2266 FROM GOVERNOR

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, November 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2266, Printer's No. 1366, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 783, entitled:

An Act amending the act of June 2, 1937 (P. L. 1198), entitled "An act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith" by removing certain restrictions on the application of the act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—127

| | | | |
|------------|---------------|--------------------|-----------------------|
| Anderson, | Frank, | McCormack, | Renwick, |
| Arlene, | Frascella, | McDonald, | Rovansek, |
| Auker, | Fulmer, | McKeever, | Rudisill, |
| Balthaser, | Gailey, | McLaughlin, | Sakulsky, |
| Boles, | Gallagher, | Machmer, | Scarcelli, |
| Bonner, | Garlock, | Maxwell, | Schuster, |
| Boris, | Gelfand, | Meholchick, | Sherman, |
| Bower, | Hamilton, | Mihm, | Shupnik, |
| Branca, | Heavey, | Mills, | Silverman, |
| Breth, | Heffner, | Monroe, | Snider, |
| Buchanan, | Holliday, | Muldowney, | Stank, |
| Burns, | Holt, | Mullen, | Stevens, |
| Capano, | Horst, | Munley, | Stewart, |
| Capitolo, | Irvis, | Murphy, A. J., Jr. | Stone, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Sullivan, |
| Cioffi, | Jenkins, | Murray, J. J., | Taylor, |
| Clarke, | Jim, | Musto, | Trusio, |
| Comer, | Jones, F. R., | Needham, | Varallo, |
| Crossin, | Kamyk, | Nelson, | Varnier, |
| Curwood, | Kee, | O'Donnell, J. A., | Verona, |
| Dengler, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dennison, | Kessler, | O'Neill, | Welsh, |
| Devlin, | Kovolenko, | Parlante, | Whittaker, |
| Donahue, | Kubitsky, | Pashley, | Williams, A. D., Jr., |
| Down, | Lamb, | Perry, H. H., | Williams, E. S., |
| Farabaugh, | Lee, K. B., | Perry, P. E., | Willard, |
| Filo, | Leonard, | Petrosky, | Wilt, |
| Fineman, | Limper, | Polaski, | Worley, |
| Floyd, | Lopresti, | Polen, | Yatron, |
| Flynn, | Luigard, | Prendergast, | Yetter, |
| Foerster, | Lutty, | Pursley, | Andrews, |
| Fox, | McCann, | Reibman, | Speaker |

NAYS—60

| | | | |
|-------------|------------------|----------------|------------|
| Ashton, | Gramlich, | McInroy, | Snare, |
| Barton, | Guthrie, | Magee, | Steckel, |
| Bell, | Henzel, | Mahan, | Stimmel, |
| Blair, | Hocker, | Markley, | Strausser, |
| Bowman, | Johnson, A. W., | Merry, | Stroup, |
| Brenninger, | Johnson, R., | Miller, B. Z., | Thompson, |
| Davis, | Jones, T. H. W., | Miller, H. G., | Tompkins, |
| Donaldson, | Jump, | Murray, H. P., | Ujobal, |
| Edwards, | Keiser, | Murray, P. G., | Wall, |
| Eshback, | Kooker, | Naugle, | Weldner, |
| Eshleman, | Korns, | O'Dell, | Wescott, |
| Ewing, | Lee, A. M., | Ogilvie, | Willaredt, |
| Fetterolf, | Light, | Price, | Wood, |
| George, | Lippincott, | Rigby, | Zimmerman, |
| Goodrich, | McCandless, | Royer, | |

NOT VOTING—22

| | | | |
|------------|-------------------|-------------|----------|
| Agnew, | Gibb, | Moran, | Seltzer, |
| Brown, | Goldstein, J. H., | Odorisio, | Stoner, |
| Cooper, | Goldstein, M. H., | Reidenbach, | Walsh, |
| Dennis, | Helm, | Riley, | Wheeler, |
| Dougherty, | Knecht, | Schaaft, | Wynd, |
| Ellberg, | Kornick, | Schwartz, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 953, entitled:

An Act amending the "Cooperative Agriculture Non-Stock Associations Law" approved June 12, 1919 (P. L. 466), providing for deductions by Pennsylvania milk dealers and milk handlers for payments to cooperative agricultural associations.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—39

| | | | |
|------------|-------------|-------------------|------------|
| Balthaser, | Frank, | Merry, | Snare, |
| Barton, | Garlock, | Mihm, | Stewart, |
| Blair, | Hamilton, | Murphy, P. J., | Stroup, |
| Comer, | Heavey, | Murray, H. P., | Sullivan, |
| Dengler, | Heffner, | O'Dell, | Taylor, |
| Devlin, | Holt, | O'Donnell, J. A., | Willard, |
| Donahue, | Horst, | Perry, H. H., | Worley, |
| Dougherty, | Lee, K. B., | Pursley, | Zimmerman, |
| Edwards, | Luigard, | Scarcelli, | Andrews, |
| Foerster, | McCann, | Sherman, | Speaker |

NAYS—134

| | | | |
|------------|------------------|--------------------|-----------------------|
| Anderson, | George, | McCormack, | Rovansek, |
| Ashton, | Goodrich, | McInroy, | Royer, |
| Bell, | Gramlich, | McKeever, | Sakulsky, |
| Boles, | Guthrie, | McLaughlin, | Schuster, |
| Bonner, | Hocker, | Machmer, | Shupnik, |
| Boris, | Holliday, | Mahan, | Snider, |
| Bower, | Irvis, | Markley, | Stank, |
| Bowman, | Isaacs, | Maxwell, | Steckel, |
| Branca, | Jenkins, | Meholchick, | Stevens, |
| Buchanan, | Jim, | Miller, B. Z., | Stimmel, |
| Burns, | Johnson, A. W., | Miller, H. G., | Stone, |
| Capano, | Johnson, R., | Mills, | Strausser, |
| Cianfrani, | Jones, F. R., | Muldowney, | Thompson, |
| Cioffi, | Jones, T. H. W., | Mullen, | Tompkins, |
| Clarke, | Jump, | Munley, | Trusio, |
| Crossin, | Kamyk, | Murphy, A. J., Jr. | Ujobal, |
| Curwood, | Kee, | Murray, J. J., | Varallo, |
| Davis, | Keiser, | Murray, P. G., | Varnier, |
| Dennison, | Kernaghan, | Naugle, | Verona, |
| Donaldson, | Kessler, | Needham, | Wall, |
| Down, | Kooker, | Nelson, | Wargo, |
| Eshback, | Korns, | O'Donnell, J. P. | Weldner, |
| Eshleman, | Kovolenko, | Ogilvie, | Welsh, |
| Ewing, | Kubitsky, | O'Neill, | Wescott, |
| Farabaugh, | Lamb, | Parlante, | Whittaker, |
| Fetterolf, | Lee, A. M., | Pashley, | Williams, A. D., Jr., |
| Filo, | Leonard, | Perry, P. E., | Williams, E. S., |
| Floyd, | Light, | Polaski, | Willaredt, |
| Fox, | Limper, | Polen, | Wilt, |
| Frascella, | Lippincott, | Price, | Wood, |
| Fulmer, | Lopresti, | Reibman, | Wynd, |
| Gailey, | Lutty, | Renwick, | Yatron, |
| Gallagher, | McCandless, | Rigby, | Yetter, |
| Gelfand, | | | |

NOT VOTING—36

| | | | |
|---------|----------|-----------|-------------|
| Agnew, | Ellberg, | Kornick, | Reidenbach, |
| Arlene, | Fineman, | McDonald, | Riley, |

| | | | |
|---|---|--|---|
| Auker, Brenninger, Breth, Brown, Capitolo, Cooper, Dennis, | Flynn, Gibb, Goldstein, J. H., Goldstein, M. H., Helm, Henzel, Knecht, | Magee, Monroe, Moran, Musto, Odorisio, Petrosky, Prendergast, | Rudisill, Schaaf, Schwartz, Seltzer, Silverman, Stoner, Walsh, Wheeler, |
|---|---|--|---|

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair now asks the gentleman from Cambria to preside. The Speaker has a lot of bills to sign, and he also asks the Chairman of Appropriations Committee to get a special act passed to buy the Speaker a decent pen.

Mr. LOPRESTI IN THE CHAIR.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts providing for multiple service credit in the case of certain members of General Assembly changing the income limitation for disability annuitants and providing a death benefit after ten years of service in certain cases regulating payment by the retirement board to credit unions in certain cases and restricting assignment of rights after payment for default.

And said bill having been read at length the third time, considered and agreed to.

On the questoin,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

| | | | |
|---|---|--|--|
| Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Botes, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, | Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelsner, | McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., | Royer, Rudisill, Sakulsky, Scarcelll, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varnar, Verona, Wall, Walsh, |
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| Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, | Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, | O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Rovanske, | Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|---|---|

NAYS—0

NOT VOTING—12

| | | | |
|-------------------------------------|-----------------------------------|--|---|
| Brown, Cooper, Dennis, | Gibb, Helm, Kornick, | Moran, Reldenbach, Riley, | Schaaf, Schwartz, Wheeler, |
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

| | | | |
|--|---|---|--|
| Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Botes, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, | Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, | McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, | Royer, Rudisill, Sakulsky, Scarcelll, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varnar, Verona, Wall, |
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| Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, | Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, | O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Rovanseck, | Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Worley, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|--|

NAYS—0

NOT VOTING—12

| | | | |
|------------------------------|----------------------------|---------------------------------|----------------------------------|
| Brown, Cooper, Dennis, | Gibb, Helm, Kornick, | Moran, Reidenbach, Riley, | Schaaf, Schwartz, Wheeler, |
|------------------------------|----------------------------|---------------------------------|----------------------------------|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

| | | | |
|---|---|---|--|
| Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, | Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, | McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, | Rovanseck, Royer, Rudisill, Sakulsky, Scarcelll, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Trusio, Ujobal, Varallo, Varner, Verona, Wall, |
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| Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, | Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, | O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, | Walsh, Wargo, Weldner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|---|--|

NAYS—2

| | |
|----------|-----------|
| Machmer, | Tompkins, |
|----------|-----------|

NOT VOTING—12

| | | | |
|------------------------------|----------------------------|---------------------------------|----------------------------------|
| Brown, Cooper, Dennis, | Gibb, Helm, Kornick, | Moran, Reidenbach, Riley, | Schaaf, Schwartz, Wheeler, |
|------------------------------|----------------------------|---------------------------------|----------------------------------|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 591, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" requiring school buses to be equipped with a pressurized dry chemical fire extinguisher and providing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

| | | | |
|--|---|--|---|
| Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, | Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, | McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, | Royer, Rudisill, Sakulsky, Scarcelll, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varner, |
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|------------|-------------|-------------------|-----------------------|
| Dengler, | Kamyk, | Nelson, | Verona, |
| Dennison, | Kee, | O'Dell, | Wall, |
| Devlin, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Donaldson, | Kessler, | Odorisio, | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Down, | Kooker, | O'Neil, | Wescott, |
| Edwards, | Korns, | Parlante, | Whittaker, |
| Ellberg, | Kovolenko, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Lamb, | Perry, P. E., | Willard, |
| Ewing, | Lee, A. M., | Petrosky, | Willaredt, |
| Farabaugh, | Lee, K. B., | Polaski, | Wilt, |
| Fetterolf, | Leonard, | Polen, | Wood, |
| Filo, | Light, | Prendergast, | Worley, |
| Fineman, | Limper, | Price, | Wynd, |
| Floyd, | Lippincott, | Pursley, | Yatron, |
| Flynn, | Lopresti, | Reibman, | Yetter, |
| Foerster, | Luigard, | Renwick, | Zimmerman, |
| Fox, | Lutty, | Rigby, | Andrews, |
| Frank, | McCandless, | Rovansek, | Speaker |
| Frascella, | McCann, | | |

NAYS—0

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1963, entitled:

An Act amending the act of December 22 1951 (P. L. 1715) entitled "An act authorizing council of cities of the second class to fix the salaries of the mayor and the council members of such cities and to provide for the assessment and retention of fines for absence of councilmen from meetings "removing the maximum limitation on salaries of councilmen.

On the question,

Will the House agree to the bill on final passage?

BILL RECOMMENDED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2388, entitled:

An Act amending the "State Highway Law" approved June 1 1945 (P. L. 1242) authorizing acquisition of property necessary for present or future highway purposes.

On the question,

Shall the bill pass finally?

Mr. HEAVEY. Mr. Speaker, this bill was up before and was debated at great length by lawyers on both sides of the aisle, until some of the Members and the Speaker wanted to get on to the next bill. I do not want to get into anything like that, but I have since then discovered an instance which I think would help the passage of this bill.

The Turnpike going from Valley Forge to the Delaware

River Bridge went through Mrs. Werner's property. It left her house on the rear of her lot, and left her with a piece of ground on the other side of the turnpike which hooked up with the main road where she got in and out. She could not get together with the Turnpike Commission, so much so that after it was planned and the road built, she was still sitting in this house on the other side of the turnpike. She could not get in and out with her truck. As a last resort she has to travel from the Bristol exchange to the Route 1 exchange and pay 30 cents every time she comes in and out of the house. It seems to me that a situation like that could be remedied by this bill. I am afraid one of these days Mrs. Werner is going to get out on that turnpike and that will be the end of Mrs. Werner.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Frascella, | McCandless, | Rigby, |
| Anderson, | Fulmer, | McCann, | Rovansek, |
| Arlene, | Gailey, | McCormack, | Royer, |
| Ashton, | Gallagher, | McDonald, | Rudisill, |
| Auker, | Garlock, | McInroy, | Sakulsky, |
| Balthaser, | Gelfand, | McKeever, | Scarcelli, |
| Barton, | George, | McLaughlin, | Schuster, |
| Bell, | Goodrich, | Machmer, | Seltzer, |
| Blair, | Goldstein, J. H., | Magee, | Sherman, |
| Boles, | Goldstein, M. H., | Mahan, | Shupnik, |
| Bonner, | Gramlich, | Markley, | Silverman, |
| Boris, | Guthrie, | Maxwell, | Snare, |
| Bower, | Hamilton, | Meholchick, | Snider, |
| Bowman, | Heavey, | Merry, | Stank, |
| Branca, | Heffner, | Mihm, | Steckel, |
| Brenninger, | Henzel, | Miller, B. Z., | Stevens, |
| Breth, | Hocker, | Miller, H. G., | Stewart, |
| Buchanan, | Holliday, | Mills, | Stimmel, |
| Burns, | Holt, | Monroe, | Stone, |
| Capano, | Horst, | Muldowney, | Stoner, |
| Capitolo, | Irviss, | Mullen, | Strausser, |
| Cianfrani, | Isaacs, | Munley, | Stroup, |
| Cioffi, | Jenkins, | Murphy, A. J., Jr., | Sullivan, |
| Clarke, | Jim, | Murphy, P. J., | Taylor, |
| Comer, | Johnson, A. W., | Murray, H. P. | Thompson, |
| Crossin, | Johnson, R., | Murray, J. J., | Tompkins, |
| Curwood, | Jones, F. R., | Murray, P. G., | Trusio, |
| Davis, | Jones, T. H. W., | Musto, | Ujobal, |
| Dengler, | Jump, | Naugle, | Varallo, |
| Dennison, | Kamyk, | Needham, | Varnier, |
| Devlin, | Kee, | Nelson, | Verona, |
| Donahue, | Kelser, | O'Dell, | Wall, |
| Donaldson, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Dougherty, | Kessler, | O'Donnell, J. P., | Wargo, |
| Down, | Knecht, | Odorisio, | Weidner, |
| Edwards, | Kooker, | Ogilvie, | Welsh, |
| Ellberg, | Korns, | O'Neil, | Wescott, |
| Eshback, | Kovolenko, | Parlante, | Whittaker, |
| Eshleman, | Kubitsky, | Pashley, | Williams, A. D., Jr., |
| Ewing, | Lamb, | Perry, H. H., | Williams, E. S., |
| Farabaugh, | Lee, A. M., | Perry, P. E., | Willard, |
| Fetterolf, | Lee, K. B., | Petrosky, | Willaredt, |
| Filo, | Leonard, | Polaski, | Wilt, |
| Fineman, | Light, | Polen, | Wood, |
| Floyd, | Limper, | Prendergast, | Wynd, |
| Flynn, | Lippincott, | Price, | Yatron, |
| Foerster, | Lopresti, | Pursley, | Yetter, |
| Fox, | Luigard, | Reibman, | Zimmerman, |
| Frank, | Lutty, | Renwick, | Andrews, |
| | | | Speaker |

NAYS—1

Worley,

NOT VOTING—12

| | | | |
|---------|----------|-------------|-----------|
| Brown, | Gibb, | Moran, | Schaaf, |
| Cooper, | Helm, | Reidenbach, | Schwartz, |
| Dennis, | Kornick, | Riley, | Wheeler, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2437, entitled:

An Act abating certain tax penalties interest and costs on county city (except city of the first class) borough town township school district (except school district of the first class) and institution district taxes * * *.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I would like to call to the attention of the Members of the House, House Bill No. 2437, Printer's No. 1980. This bill is permissive legislation. It applies to cities, boroughs and townships. It is permissive legislation. In effect this bill would help many of the unemployed steel workers who were out on strike for the last 117 days. It would abate the taxes only for the year of 1959. The interest on such taxes would be abated, and they would be paid over a five-year period. In effect, the borough, township or city could not effect any liens or sell at sheriff's sale any property for unpaid taxes.

I think this is a good bill. It is only permissive legislation. Any borough, city or township can do this if they so see fit. I recommend that all the Members vote for this legislation to help these men who were on strike for 117 days.

Mr. AUKER. Mr. Speaker, I am not going to debate the bill. I do not think it is good legislation. I do not think it is needed. I will ask for a slow and distinct roll call.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—104

| | | | |
|------------|---------------|--------------------|------------|
| Anderson, | Frank, | McLaughlin, | Polen, |
| Arlene, | Machmer, | Fredergast, | |
| Balthaser, | Galley, | Maxwell, | Reibman, |
| Blair, | Gallagher, | Meholchick, | Renwick, |
| Boles, | Garlock, | Mihm, | Rovansek, |
| Bonner, | Gelfand, | Mills, | Sakulsky, |
| Branca, | Gibb, | Monroe, | Scarcelli, |
| Breth, | Hamilton, | Muldowney, | Schuster, |
| Burns, | Heavey, | Mullen, | Sherman, |
| Capano, | Holt, | Munley, | Shupnik, |
| Capitolo, | Horst, | Murphy, A. J., Jr. | Silverman, |
| Cianfrani, | Irvia, | Murray, J. J., | Snare, |
| Cioffi, | Jenkins, | Musto, | Snider, |
| Clarke, | Jim, | Needham, | Stank, |
| Comer, | Jones, F. R., | Nelson, | Stone, |
| Crossin, | Kamyk, | O'Dell, | Sullivan, |
| Curwood, | Kessler, | O'Donnell, J. A., | Taylor, |
| Devlin, | Kovolenko, | O'Donnell, J. P. | Trusio, |
| Donaldson, | Lamb, | Odorisio, | Varallo, |
| Dougherty, | Leonard, | O'Neil, | Verona, |
| Farabaugh, | Limper, | Parlante, | Wargo, |
| Filo, | Lopresti, | Pashley, | Welsh, |
| Fineman, | Luigard, | Perry, H. H., | Wilt, |
| Floyd, | Lutty, | Perry, P. E., | Yatron, |
| Flynn, | McCann, | Petrosky, | Yetter, |
| Foerster, | McKeever, | Polaski, | Andrews, |

Speaker

NAYS—77

| | | | |
|---------|-------------------|-------------|------------|
| Ashton, | Goldstein, J. H., | Lippincott, | Stimmel, |
| Auker, | Goodrich, | McCandless, | Strausser, |
| Barton, | Gramlich, | McInroy, | Stroup, |

| | | | |
|------------|------------------|----------------|-----------------------|
| Bell, | Guthrie, | Magee, | Thompson, |
| Bower, | Hocker, | Mahan, | Tompkins, |
| Bowman, | Holliday, | Markley, | Ujohal, |
| Buchanan, | Isaacs, | Merry, | Varner, |
| Davis, | Johnson, A. W., | Miller, B. Z., | Wall, |
| Dengler, | Johnson, R., | Miller, H. G., | Weldner, |
| Dennison, | Jones, T. H. W., | Murphy, P. J., | Wescott, |
| Donahue, | Jump, | Murray, H. P., | Whittaker, |
| Down, | Kee, | Murray, P. G., | Williams, A. D., Jr., |
| Edwards, | Keiser, | Ogilvie, | Williams, E. S., |
| Eshback, | Kernaghan, | Price, | Willard, |
| Eshleman, | Kooker, | Pursley, | Willaredt, |
| Ewing, | Korna, | Rigby, | Wood, |
| Fetterolf, | Kubitsky, | Royer, | Worley, |
| Fox, | Lee, A. M., | Steckel, | Wynd, |
| Fulmer, | Lee, K. B., | Stewart, | Zimmerman, |
| George, | | | |

NOT VOTING—28

| | | | |
|-------------|-------------------|-------------|-----------|
| Agnew, | Goldstein, M. H., | McCormack, | Schaaf, |
| Boris, | Heffner, | McDonald, | Schwartz, |
| Brenninger, | Helm, | Moran, | Seltzer, |
| Brown, | Henzel, | Naugle, | Stevens, |
| Cooper, | Knecht, | Reidenbach, | Stoner, |
| Dennis, | Kornick, | Riley, | Walsh, |
| Ellberg, | Light, | Rudisill, | Wheeler, |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2443, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the preparation of the budget in accordance with the recent constitutional amendment.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Royer, |
| Anderson, | Galley, | McCormack, | Rudisill, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarceill, |
| Auker, | Gelfand, | McKeever, | Schuster, |
| Balthaser, | George, | McLaughlin, | Seltzer, |
| Barton, | Gibb, | Machmer, | Sherman, |
| Bell, | Goldstein, J. H., | Magee, | Shupnik, |
| Blair, | Goldstein, M. H., | Mahan, | Silverman, |
| Boles, | Goodrich, | Markley, | Snare, |
| Bonner, | Gramlich, | Maxwell, | Snider, |
| Boris, | Guthrie, | Meholchick, | Stank, |
| Bower, | Hamilton, | Merry, | Steckel, |
| Bowman, | Heavey, | Mihm, | Stevens, |
| Branca, | Heffner, | Miller, B. Z., | Stewart, |
| Brenninger, | Henzel, | Miller, H. G., | Stimmel, |
| Breth, | Hocker, | Mills, | Stone, |
| Buchanan, | Holliday, | Monroe, | Stoner, |
| Burns, | Holt, | Muldowney, | Strausser, |
| Capano, | Horst, | Mullen, | Stroup, |
| Capitolo, | Irvia, | Munley, | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, A. J., Jr. | Taylor, |
| Cioffi, | Jenkins, | Murphy, P. J., | Thompson, |
| Clarke, | Jim, | Murray, H. P., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujohal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jones, T. H. W., | Needham, | Varner, |
| Dengler, | Jump, | Nelson, | Verona, |
| Dennison, | Kamyk, | O'Dell, | Wall, |
| Devlin, | Kee, | O'Donnell, J. A., | Walsh, |
| Donahue, | Keiser, | O'Donnell, J. P. | Wargo, |
| Donaldson, | Kernaghan, | Odorisio, | Weldner, |
| Dougherty, | Kessler, | Ogilvie, | Welsh, |
| Down, | Knecht, | O'Neil, | Wescott, |
| Edwards, | Kooker, | Parlante, | Whittaker, |
| Ellberg, | Korna, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Perry, P. E., | Willaredt, |

| | | | |
|--|--|---|---|
| Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, | Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Rovanseck, | Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|---|---|

NAYS—0

NOT VOTING—11

| | | | |
|------------------------------|-----------------------------|----------------------------------|-----------------------|
| Brown, Cooper, Dennis, | Helm, Kornick, Moran, | Reidenbach, Riley, Schaaf, | Schwartz, Wheeler, |
|------------------------------|-----------------------------|----------------------------------|-----------------------|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

| | | | |
|---|---|--|---|
| Agnew, Anderson, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, | Frank, Fulmer, Galley, Gallagher, Garlock, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Light, Lippincott, Lopresti, Luigard, Lutty, | McCandless, McCann, McDonald, McCormack, McInroy, McLaughlin, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Odorisio, Ogilvie, O'Neil, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Rovanseck, | Royer, Rudisill, Sakulsky, Scarcelll, Schuster, Seltzer, Shupnik, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Thompson, Tompkins, Trusio, Ujobal, Varnar, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|--|---|

NAYS—24

| | | | |
|---|--|---|--|
| Arlene, Bowman, Branca, Cianfrani, Frascella, Gelfand, | Heavey, Holt, Jones, F. R., Lee, A. M., Limper, McKeever, | Machmer, Muldowney, O'Donnell, J. P., Parlante, Pashley, Perry, P. E., | Sherman, Silverman, Sullivan, Taylor, Varallo, Welsh, |
|---|--|---|--|

NOT VOTING—11

| | | | |
|------------------------------|-----------------------------|----------------------------------|-----------------------|
| Brown, Cooper, Dennis, | Helm, Kornick, Moran, | Reidenbach, Riley, Schaaf, | Schwartz, Wheeler, |
|------------------------------|-----------------------------|----------------------------------|-----------------------|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

| | | | |
|--|---|---|---|
| Anderson, Agnew, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Brenninger, Breth, Buchanan, Burns, Capano, Capitolo, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, | Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, | McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Monroe, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, | Rovanseck, Royer, Rudisill, Sakulsky, Scarcelll, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varnar, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, |
|--|---|---|---|

| | | | |
|---|--|--------------------------------|--|
| Foerster, Fox, Frank, Frascella, | Lopresti, Luigard, Lutty, McCandless, | Reibman, Renwick, Rigby, | Yetter, Zimmerman, Andrews, Speaker |
|---|--|--------------------------------|--|

NAYS—0

NOT VOTING—11

| | | | |
|------------------------------|-----------------------------|----------------------------------|-----------------------|
| Brown, Cooper, Dennis, | Helm, Kornick, Moran, | Reldenbach, Riley, Schaaf, | Schwartz, Wheeler, |
|------------------------------|-----------------------------|----------------------------------|-----------------------|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, that completes the bills on today's calendar and places us in the position to vote on 23 bills on the calendar tomorrow on final passage and third reading that are now in position and will be in print. I am confident that they will be in print at the proper time, and the bills that have been amended today.

Mr. Speaker, I would like to interrogate the Minority Leader.

Mr. Speaker, will the Minority Leader inform us whether the information is correct which the newspaper people keep telling me is official—that when the Senate came out of the Republican Caucus today it was indicated they plan to offer a resolution to recess until November 30.

Mr. A. W. JOHNSON. Mr. Speaker, in answer to the question, that was my earlier advice, but now I understand they are caucusing again tomorrow on it.

I just want to say that is the first week of the deer season. Certainly many Members of this House want to go deer hunting at least the first two days, if that is the decision of the Senate, we should amend it to come in on Wednesday of that week and give the hard working people here a chance to hunt a little.

In answer to your question, it is not a firm decision. I thought it was, but I have since heard that four or five Senators said that it is not a firm decision and they are caucusing again tomorrow.

Mr. McCANN. Mr. Speaker, I thank the gentleman.

REPORT FROM COMMITTEE

Mr. CAPANO from the Committee on Elections and Apportionment, reported as committed, House Bill No. 1280, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) increasing the minimum compensation of election officers in certain counties.

BILL ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bill was read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1280, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) increasing the minimum compensation of election officers in certain counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 10.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the method for determining the penalty to be imposed for the crime of murder of the first degree.

SENATE BILL No. 22.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" authorizing payments to joint school boards and joint school committees by the Commonwealth.

SENATE BILL No. 74.

An Act amending the act of May 2, 1945 (P. L. 382) entitled "Municipality Authorities Act of 1945" authorizing Authorities in certain cases to install water meters on properties connected with the sewer system of the Authority.

SENATE BILL No. 132.

An Act authorizing the Department of Public Welfare with the approval of the Board of Trustees of the Hollidaysburg State Hospital to contract with the Borough of Hollidaysburg and the Hollidaysburg Sewer Authority for improvements and extensions to the sewerage collection system and treatment plant and the use thereof by the Hollidaysburg State Hospital and the payment of part of the cost and maintenance thereafter and making an appropriation.

SENATE BILL No. 216.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the creation of capital reserve funds regulating the use of such funds and authorizing the levying of taxes.

SENATE BILL No. 297.

An Act repealing section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" relating to pawnbrokers dealing with minors.

SENATE BILL No. 436.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

SENATE BILL No. 654.

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

SENATE BILL No. 661.

An Act amending the act of May 24, 1945 (P. L. 991) entitled "Urban Redevelopment Law" authorizing the relocation of businesses and families and limiting powers of eminent domain.

SENATE BILL No. 662.

An Act amending the act of May 24, 1945 (P. L. 982) entitled as amended "Redevelopment Cooperation Law" redefining "State Public Body" to include school districts and other political subdivisions and authorizing cooperation in relocation activities.

SENATE BILL No. 827.

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for payment of certain county treasurers' fees out of the county Liquid Fuels Tax Fund in counties of the seventh and eighth classes.

SENATE BILL No. 853.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting any mortgagee or pledgee from requiring that the life or health of the person securing a loan be insured by a particular insurance company agent or broker.

SENATE BILL No. 873.

An Act amending the act of June 15, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Act" limiting the time within which tax assessments may be made.

SENATE BILL No. 899.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the date on which the authority collecting or receiving school taxes shall file annual reports.

SENATE BILL No. 911.

An Act amending the act of March 31, 1860 (P. L. 427) entitled "Criminal Procedure Act of 1860" further regulating setting prisoners at liberty on bail in counties of the second class.

SENATE BILL No. 925.

An Act amending the act of June 8, 1923 (P. L. 685) entitled "An act prescribing the fees for the office of Secretary of the Commonwealth" regulating the fees to be charged and collected.

SENATE BILL No. 933.

An Act amending the act of June 12, 1951 (P. L. 533) entitled "The Mental Health Act of 1951" permitting applications for admission to be made by certain persons providing for the contents of physician's certificate and extending the period of time during which certain persons may be restrained.

SENATE BILL No. 1000.

An Act amending the act of April 9, 1929 (P. L. 343) entitled "The Fiscal Code" changing penalty provisions for failure to file reports on time.

SENATE BILL No. 1015.

An Act authorizing cities of the first class and school districts of the first class to collect self-assessed taxes by the use of a lien and procedure imposing certain duties on prothonotaries and providing for methods of reviving liens of self-assessed taxes and imposing certain costs.

SENATE BILL No. 1094.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in shares of business development credit corporations.

SENATE BILL No. 1095.

An Act amending the act of May 15, 1933 (P. L. 624)

entitled as amended "Banking Code" permitting purchase or investment in shares of business development credit corporations.

SENATE BILL No. 1096.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in State and regional business development credit corporations.

SENATE BILL No. 1109.

An Act amending the act of May 5, 1933 (P. L. 289) entitled "Nonprofit Corporation Law" further providing for the use of certain words in the corporate name.

SENATE BILL No. 1121.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the composition of the return board.

SENATE BILL No. 1168.

An Act to promote the health safety and welfare of the people of the Commonwealth by broadening the market for low-priced private homes and alleviating shortages thereof and by assisting in the provision of housing for elderly persons through the creation of the Pennsylvania Housing Agency as a public corporation and government instrumentality providing for the organization membership and administration of the agency prescribing its general powers and duties and the manner in which its funds are kept and audited empowering the agency to make housing loans to eligible mortgagors upon the security of insured mortgages defining eligible mortgagors and providing for priorities among them in certain instances prescribing interest rates and other terms of housing loans permitting the agency to make agreements with financial institutions and Federal agencies permitting the agency to sell housing loans providing for the promulgation of regulations and forms by the agency prescribing penalties for furnishing false information empowering the agency to borrow money upon its own credit by the issuance and sale of bonds and notes and by giving security therefor permitting the refunding redemption and purchase of such obligations by the agency prescribing remedies of holders of such bonds and notes exempting bonds and notes of the agency the income therefrom and the income and revenues of the agency from taxation except transfer death and gift taxes making such bonds and notes legal investments for certain purposes and indicating how the act shall become effective.

SENATE BILL No. 1169.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" permitting purchase or investment in bonds and notes of the Pennsylvania Housing Agency.

SENATE BILL No. 1170.

An Act amending the act of May 26, 1949 (P. L. 1828) entitled "Fiduciaries Investment Act of 1949" providing that fiduciaries may invest in bonds and notes of the Pennsylvania Housing Agency.

SENATE BILL No. 1171.

An Act amending the act of May 5, 1933 (P. L. 457) entitled "Building and Loan Code" permitting investment in notes and bonds of the Pennsylvania Housing Agency.

SENATE BILL No. 1172.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" permitting purchase or investment in bonds and notes of Pennsylvania Housing Agency.

SENATE BILL No. 1181.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating the driving over fire hose and prescribing penalties.

SENATE BILL No. 1226.

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" providing for the election of the city treasurer.

Whereupon, .

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. FLYNN. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 18, 1959 at 1:00 p. m. EST.

The motion was agreed to, and (at 6:50 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, NOVEMBER 18, 1959.

No. 113.

SENATE

WEDNESDAY, NOVEMBER 18, 1959.

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

PRAYER

The Chaplain, Rev. MELVIN WALPER, Pastor of Zion's Reformed Church, Ashland, offered the following prayer:

Our Father in Heaven, we thank Thee for Thy presence with us through this Session of the Senate. We thank Thee for Thy inspiration in hours of meditation and solitude, and for Thy restraining hand upon us in hours of debate and deliberation.

Grant to the Members of this Body the grace to focus their attention on principles, rather than upon personalities; and to support convictions rather than prejudices. When they disagree, may they do so without becoming disagreeable. Grant to each of us respect for the opinion of the other, even though we share it not, with a firm faith in the eventual victory of that which is right in Thy sight.

We ask Thy blessing upon the families and loved ones of our Senators. We thank Thee for their sacrifice; a sacrifice which helps make possible the service of these men to their Commonwealth. Reward these families with a sense of participation in the on-going progress and program of legislation and government.

O God, may all who support the labors of this Senate enjoy the benediction of Thy peace and Thy presence, through Jesus Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. PECHAN, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

November 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

P. L. Prattis, 1311 Grotto Street, Pittsburgh, Allegheny County.

Alvin R. Guyler, United States Veterans Administration, 107 Sixth Street, Pittsburgh, Allegheny County.

Mr. Mary Jane Myers, Trinity Cathedral, 323 Oliver Street, Pittsburgh, Allegheny County.

DAVID L. LAWRENCE.

MEMBER OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

November 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Audrey B. Stubbs (Democrat), 250 School Lane, Springfield, Delaware County, for appointment as a member of the Delaware County Board of Assistance, until December 31, 1959, and until her successor is duly appointed and qualified, vice Mrs. Elizabeth M. McGlynn, Springfield.

DAVID L. LAWRENCE.

HOUSE MESSAGES

RESOLUTION RETURNING TO THE GOVERNOR HOUSE BILL No. 2266

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, November 18, 1959.

Resolved (if the Senate concur), That House Bill No. 2266, Printer's No. 1366, entitled:

An Act amending the "Anthracite Coal Mining Law," approved June 2, 1891 (P. L. 176), changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans; and changing provisions relating to mine inspectors' reports.

be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 505

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 505, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE BILL
No. 505

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 505, and that a Committee of Conference on the part of the Senate be appointed.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL No. 2324

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO HOUSE BILL
No. 2324

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to House Bill No. 2324, and that a Committee of Conference on the part of the Senate be appointed.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION, SERIAL No.
112, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Concurrent Resolution, Serial No. 112, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COM-
MISSION TO MAKE A STUDY OF LAWS RELAT-
ING TO CONSUMER CREDIT AND FINANCING

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The amendments were read by the Clerk as follows:

Amend third resolution, last two lines, by striking out "recommendations with drafts of legislation necessary to carry the recommendations into effect," and inserting in lieu thereof: "conclusions based upon such studies and investigations."

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE
HOUSE TO SENATE CONCURRENT RESOLUTION,
SERIAL No. 112

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Concurrent Resolution, Serial No. 112.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURRENT RESOLUTION No. 98
REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

JOINT STATE GOVERNMENT COMMISSION TO
STUDY COSTS OF BLUE CROSS HOSPITAL-
IZATION INSURANCE

In the House of Representatives, July 28, 1959.

The cost of Blue Cross Insurance has risen twenty-eight percent in the last six months and the number of days covered by the insurance has been cut from one hundred twenty to seventy-five.

This matter is of grave concern to residents of Pennsylvania, since it not only raises insurance costs but gives less insurance protection in the vitally important area of hospitalization; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study and investigate the costs of Blue Cross Hospitalization Insurance and the length of time for which protection is given by such insurance; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with drafts of legislation necessary to carry the recommendations into effect.

HOUSE CONCURRENT RESOLUTION No. 124
REFERRED TO COMMITTEE

He also presented extract from the Journal of the House of Representatives which was read as follows and referred to the Committee on Rules:

INSTALLATIONS OF FISHWAYS AT DAMS IN
SUSQUEHANNA RIVER WITH COOPERATION
OF STATE OF MARYLAND

In the House of Representatives, October 19, 1959.

The Susquehanna River watershed in Maryland and Pennsylvania was once the spawning ground for millions of migratory fish.

The placing of dams across the Susquehanna River in Pennsylvania and Maryland, without providing ways or devices whereby migratory fish could ascend the mainstream and tributaries to spawn, has effectively removed migratory fish from the watershed.

It is considered desirable to restore the natural life cycle for warm water fish in the Susquehanna River watershed.

The cooperation of the sister states of Maryland and Pennsylvania is needed to bring migratory fish back into the watershed; therefore, be it

Resolved (the Senate concurring), That it is the general sense of the House and Senate of the Legislature of Pennsylvania that fishways or other devices of similar purport ought to be installed at the dams in the Susquehanna River to enable migratory fish to ascend the mainstream and tributaries, thus restoring a natural food base of the residents of the watershed and restoring the streams of the water shed as natural breeding grounds for food and

game fish, and further, that this general sense of the Pennsylvania Legislature be represented to the Legislature of Maryland together with the desire and request of the Pennsylvania Legislature that the Legislature of Maryland similarly record its sense that the natural life cycle for warm water fish in the Susquehanna River watershed in Maryland and Pennsylvania ought to be restored by installation of fishways or comparable devices at the dams in the Susquehanna River; and, be it further

Resolved, That copies of this resolution be forwarded to the presiding officer of each House of the Legislature of Maryland.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, SERIAL NO. 105

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY HOW TO OVERCOME ALL IMPEDIMENTS TO THE TAKING OF IMMEDIATE AND EFFECTIVE ACTION IN CASES OF EMERGENCY OR IMPENDING EMERGENCY

In the Senate, February 2, 1959.

Emergency situations require immediate action. A hesitation or delay of days or even hours can spell the difference between safety or terrible disaster. The power to act immediately in any emergency or impending emergency should be inherent in the Officials of our Commonwealth. This power should include the authority to undertake any project deemed necessary for the protection of the public and to take action on a moment's notice to forestall impending danger, no matter what its source may be. The authority to expend funds necessary to finance such actions, including rehabilitation and rectification thereafter, should accompany the power to act.

During the disaster recently experienced, we were fortunate in one respect, that being that the Legislature was in session to authorize action. On future occasions precious time may be lost in an attempt to obtain such Legislative approval; therefore be it

Resolved (The House of Representatives concurring), That the Joint State Government Commission make a thorough study to determine how to best overcome all impediments to the taking of immediate and effective action by Officials of our Commonwealth in cases of emergency or cases of impending emergency, and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, SERIAL No. 114

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF MINING LAWS

In the Senate, July 27, 1959.

As a result of its investigation into the Knox mine disaster, the Joint Committee created by the Senate and House of Representatives has recommended that the laws relating to mining be revised and codified; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission make a thorough study of the laws relating to anthracite, bituminous, metallic and non-metallic mining, and to prepare a revision and codification of such laws. In preparing the revision and codification the Joint State Government

Commission shall give particular attention to the report and recommendations of the Joint Committee to investigate the Knox mine disaster, and shall in so far as possible utilize the assistance and advice of the Department of Mines and Mineral Industries, the United States Bureau of Mines, mine operators, representatives of miners and professional mining engineers; and be it further

Resolved, That the Joint State Government Commission make a report of its study, together with its draft of a codification of the mining laws, to the next General Assembly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, SERIAL No. 116

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE HIGHER EDUCATION SYSTEM IN PENNSYLVANIA

Whereas, It has been predicted that college enrollments in the Commonwealth will greatly increase during the decade ahead; and

Whereas, The predictions in college enrollment range from 57 to 127 percent; and

Whereas, It has been alternatively proposed that State-owned institutions be expanded, that State-aided institutions be expanded and that junior colleges be established, either independently or as an adjunct to the public school system; and therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed:

(1) To evaluate the predictions of increased college enrollments for the next decade, and to develop data relating the demand for higher education in Pennsylvania to the types of instruction required, geographic location of students and institutions, and financial ability of families to underwrite the costs of higher education;

(2) To determine the extent to which various quality standards would modify the predicted enrollment increases;

(3) To determine the preferences, abilities, and performance characteristics of the college-age population and the types of institutions which will best meet the demands for post-high school training of students of varying characteristics;

(4) To ascertain the advantages and disadvantages associated with different methods of providing post-high school opportunities including, but not limited to, expansion of State-owned institutions, expansion of State-aided institutions, and full cost scholarships applicable at all accredited institutions;

(5) To evaluate present levels of efficiency, including both staff and plant utilization, and to develop organizational and operational patterns that will provide incentives to insure optional personnel and plant performance;

(6) To investigate the fiscal potential of State and local governments and private individuals and organizations to provide additional support for higher education; and

(7) To investigate alternative sources of revenue available to the State Government to provide additional support for higher education; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations together with drafts of any legislation deemed necessary to carry its recommendations into effect.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 591, entitled:

An Act amending "The Vehicle Code" approved May 1, 1929, (P. L. 905), requiring school buses to be equipped

with a pressurized dry chemical fire extinguisher; and providing penalties.

Which was committed to the Committee on Rules.

House Bill No. 594, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House; providing for the repair of the Pechin House; authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society; and making an appropriation.

Which was committed to the Committee on Rules.

House Bill No. 783, entitled:

An Act amending the act of June 2, 1937 (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and permanent injunctions in case of labor disputes; providing for the payment of costs; and repealing all acts or parts of acts inconsistent herewith," by removing certain restrictions on the application of the act.

Which was committed to the Committee on Rules.

House Bill No. 2256, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Which was committed to the Committee on Rules.

House Bill No. 2257, entitled:

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Which was committed to the Committee on Rules.

House Bill No. 2258, entitled:

An Act amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208), further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

Which was committed to the Committee on Rules.

House Bill No. 2293, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in that borough.

Which was committed to the Committee on Rules.

House Bill No. 2388, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing acquisition of property necessary for present or future highway purposes.

Which was committed to the Committee on Rules.

House Bill No. 2443, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the preparation of the budget in accordance with the recent constitutional amendment.

Which was committed to the Committee on Rules.

House Bill No. 2449, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts, in order to reduce costs involved in financing through municipal authorities.

Which was committed to the Committee on Rules.

HOUSE CONCURS IN SENATE BILL No. 428

He also returned to the Senate, Senate Bill No. 428, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," permitting additional methods of sharing annual lease rentals for projects constructed for more than on school district.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 471

He also returned to the Senate, Senate Bill No. 471, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code," changing provisions relating to declaration and payment of dividends and the granting of loans.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 472

He also returned to the Senate, Senate Bill No. 472, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," authorizing certain banking institutions to invest funds of employee pension welfare and benefit plans of which they are trustees, agents or custodians in common trust funds maintained by them.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 473

He also returned to the Senate, Senate Bill No. 473, entitled:

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment, reinvestment and maintenance and providing for the powers, duties and liabilities of such trustees.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1180

He also returned to the Senate, Senate Bill No. 1180, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," exempting associations of firemen.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1223

He also returned to the Senate, Senate Bill No. 1223, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

with the information that the House has passed the same without amendments.

SENATE BILL No. 160 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the improvement of streets by the borough without petition, and the assessment and collection of costs from abutting property owners.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 380 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further regulating the making of installment loans.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 785 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 971 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees' Retirement Code of 1959," changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances and further providing for commutation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1059 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Diseases Act," increasing the rate of compensation, changing subrogation rights and further regulating reports, examinations and testimony of physicians.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1133 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254), entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes," changing certain fees fixed by the act.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will appear on tomorrow's Calendar.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2218

Mr. ROONEY. Mr. President, I submit the report of the Committee of Conference on House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

REPORTS FROM COMMITTEES

Mr. RUTH, from the Committee on Rules, reported as amended, Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," extending the time during which certain persons can make application to the Civil Service Commission.

He also, from the Committee on Rules, reported as committed, House Bill No. 1161, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

He also, from the Committee on Rules, reported as committed, House Bill No. 1162, entitled:

An Act amending the act of June 25, 1895 (P. L. 275) entitled "City Classification Law" changing the mode for the advance in classification of cities upon their increase in population.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General, Retired, in the Pennsylvania National Guard upon George Sarraf.

Mr. BERGER, from the Committee on Rules reported as amended, House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law," to define certain terms to modify eligibility and disqualification provisions payments and rates of compensation to revise and increase rates of contribution to limit scope of contribution appeals and to repeal certain provisions concerning employees under Shipping Articles.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry H. Davis, R. D. 1, Industry, Beaver County, for appointment as a member of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Frank C. Lewis, Beaver Falls.

DAVID L. LAWRENCE.

JUDGE OF THE JUVENILE COURT

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bennett Rodgers, Esq., 5312 Ellsworth Avenue, Pittsburgh, Allegheny County, for appointment as Judge of the Juvenile Court of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, until the

first Monday of January 1962, vice Hon. Gustav L. Schramm, deceased.

DAVID L. LAWRENCE.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 2324

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. KESSLER, FLEMING and WEINER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 2324.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 505

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. FLEMING, PECHAN and WEINER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to House Bill No. 505.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 505

Mr. WEINER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 505, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A THOROUGH STUDY OF THE PENAL LAWS

Mr. BLASS offered the following resolution (Serial No. 84), which was read and referred to the Committee on Rules:

In the Senate, November 18, 1959.

Whereas, The Act of June 24, 1939 (P. L. 872), known as "The Penal Code," contains many inconsistencies; and Whereas, Numerous amendments to The Penal Code have been adopted since its enactment; and

Whereas, The administration of justice would be served by the elimination of obsolete matter and terminology, removal of duplications, clarification of ambiguities, and codification of the statutory provisions into one act; therefore be it

Resolved, That the Joint State Government Commission make a thorough study of the penal laws of the Commonwealth, prepare a codification and revision of such laws and report the same to the General Assembly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

Mr. KESSLER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

The PRESIDING OFFICER. The report will lie over for printing under the rules.

LEGISLATIVE REPRESENTATIVES OF UNITED STEELWORKERS OF AMERICA PRESENTED TO SENATE

Mr. WALKER. Mr. President, I have the honor to present to the Chair and this Body some close friends of mine. They are Legislative Representatives of the United Steelworkers of America; namely, Mr. Charles Ford, of Bucks County; Mr. John Sullivan, of Allegheny County; Mr. John Connelly, of Allegheny County; Mr. Ford Forsythe, of Allegheny County; my own neighbor and friend, Mr. Andrew Koban, of Johnstown, Cambria County; and Mr. John LaMaur, of Blair County.

The PRESIDING OFFICER. On behalf of the Senate of Pennsylvania, the Chair is very happy to welcome the Representatives of the United Steelworkers of America to the Senate Chamber. We hope your visit here will be both instructive and interesting to you.

Mr. WEINER. Mr. President, if I may add to the remarks you just made, I think some votes for some of the bills these gentlemen might be interested in may also be helpful.

The PRESIDING OFFICER. Your remarks are well taken.

DELEGATES FROM LYCOMING COUNCIL OF RE- PUBLICAN WOMEN PRESENTED TO SENATE

Mr. CONFAIR. Mr. President, I would like to present to the Senate a group of ladies from the Lycoming Council of Republican Women. The one dressed in red is my wife, who controls me back home.

The PRESIDING OFFICER. The Chair, on behalf of the Senate of Pennsylvania, is most happy to welcome the Council of Republican Women from Lycoming County. We certainly hope that your visit will likewise be interesting and instructive to you.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. TAYLOR,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry H. Davis, R. D. 1, Industry, Beaver County, for appointment as a member of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Frank C. Lewis, Beaver Falls.

DAVID L. LAWRENCE

JUDGE OF THE JUVENILE COURT

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bennett Rodgers, Esq., 5312 Ellsworth Avenue, Pittsburgh, Allegheny County, for appointment as Judge of the Juvenile Court of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, until the first Monday of January 1962, vice Hon. Gustav L. Schramm, deceased.

DAVID L. LAWRENCE

A motion was made by Mr. BERGER and Mr. TAYLOR, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| Chapman, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. At this time, the Chair wishes to relinquish the gavel to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills.

Senate Bill No. 227,
Senate Bill No. 644,
Senate Bill No. 983, and
House Bill No. 2363.

The PRESIDENT pro tempore. The Chair invites the gentleman from Allegheny, Mr. Fleming, to return to the rostrum.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, recalled from the Governor, go over in their order:

House Bill No. 1572, Printer's No. 1825; and
House Bill No. 1822, Printer's No. 1806.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS
RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1968, entitled:

An Act imposing a tax on real estate for public school purposes in school districts of the first class and first class A for current expenses.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE
HOUSE TO HOUSE BILL No. 1968, RECALLED
FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 1968, recalled from the Governor.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Probert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 184, entitled:

An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled "An act to define and restrict the obligation of persons engaged or connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such person" extending the provisions of the act to include certain persons connected with radio and television stations.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE
HOUSE TO SENATE BILL No. 184

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 184.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Probert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1093, entitled:

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers restrictions limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1093

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1093.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569), entitled "Korean Conflict Veterans' Compensation Act," deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1179

Mr. BERGER. Mr. President, I move that the Senate do non-concur in the amendments made by the House to Senate Bill No. 1179.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1182, Printer's No. 1571, on concurrence in House amendments, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 623, entitled:

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 623

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 623.

Mr. PECHAN. Mr. President, I second the motion

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Miller, | Stevenson, |
| Berger, | Keller, | Mullin, | Stiefel, |
| Blass, | Kessler, | Murray, | Taylor, |
| Camiel, | Koprivier, Jr., | Pechan, | Van Sant, |
| Chapman, | Kromer, | Propert, | Wade, |
| Confair, | Lane, | Ripp, | Wagner, |
| DiSilvestro, | Madigan, | Rooney, | Walker, |
| Donolow, | Mahady, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarraf, | Weiner, |
| Elliott, | McCreesh, | Scott, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | | | Presiding Officer |

NAYS—1

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 868

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 868, entitled:

An Act amending the title and act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on certain balances and extending the maturity limitation on loans.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 868

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 868.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Miller, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr., | Proppert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Welner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Shafer, | Wolfe, |
| Flack, | McGinnis, | Silvert, | Fleming, |
| Harney, | McMenamin, | Stevenson, | Presiding Officer |
| Hays, | | | |

NAYS—2

Mullin, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDING OFFICER. The Chair, at this time, returns the gavel to the President of the Senate.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

REPORT FROM COMMITTEE

Mr. PECHAN. Mr. President, on behalf of Senator Van Sant, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1589, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," eliminating fees for licenses issued under the act.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 379

Mr. WOLFE. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

The PRESIDENT. The report will appear on tomorrow's Calendar.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE, RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|-----------------|-----------|------------|
| Barr, | Harney, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Proppert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarra, | Welner, |
| Elliott, | McCreesh, | Scott, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Fleming, | McMenamin, | Silvert, | |

NAYS—3

Hays, Mahady, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REVENUE BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

APPROPRIATION BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1508, entitled:

An Act amending the act of March 10, 1949 (P.L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto" providing for the use of moneys in the State School Fund of Pennsylvania for assisting public school districts and State Teachers' Colleges to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Auditor General the Superintendent of Public Instruction and the Secretary of Labor and Industry and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Hays, | McMenamin, | Silvert, |
| Berger, | Kalman, | Miller, | Stevenson, |
| Blass, | Keller, | Mullin, | Stiefel, |
| Camiel, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr., | Pechan, | Van Sant, |
| Confair, | Kromer, | Propert, | Wade, |
| DiSilvestro, | Lane, | Ripp, | Wagner, |
| Donolow, | Madigan, | Rooney, | Walker, |
| Ehrgood, | Mahady, | Ruth, | Watkins, |
| Elliott, | Mallery, | Sarraf, | Weiner, |
| Flack, | McCreesh, | Scott, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Seyler,

A constitutional majority of all the Senators having voted, "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 162, Printer's No. 1963, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," clarifying certain provisions relating to expenses.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 663, Printer's No. 1601, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 910, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the computation and payment of tuition charges for non-resident pupils.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|----------------|------------|------------|
| Barr, | Harney, | McMenamin, | Silvert, |
| Berger, | Kalman, | Miller, | Stevenson, |
| Blass, | Keller, | Mullin, | Stiefel, |
| Camel, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr. | Pechan, | Van Sant, |
| Confair, | Kromer, | Propert, | Wade, |
| DiSilvestro, | Lane, | Ripp, | Wagner, |
| Donolow, | Madigan, | Rooney, | Walker, |
| Ehrgood, | Mahady, | Ruth, | Watkins, |
| Elliott, | Mallery, | Sarraf, | Weiner, |
| Fleming, | McCreesh, | Scott, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |

NAYS—2

Hays, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws," providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman will be so recorded. The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Fleming, | McMenamin, | Shafer, |
| Berger, | Hays, | Miller, | Silvert, |
| Blass, | Kalman, | Mullin, | Stevenson, |
| Camel, | Kessler, | Murray, | Stiefel, |
| Chapman, | Koprivier, Jr., | Ripp, | Van Sant, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mallery, | Sarraf, | Weiner, |
| Elliott, | McCreesh, | Scott, | Wolfe, |
| Flack, | McGinnis, | Seyler, | |

NAYS—11

| | | | |
|----------|---------|----------|----------|
| Ehrgood, | Kromer, | Propert, | Watkins, |
| Harney, | Mahady, | Taylor, | Whalley, |
| Keller, | Pechan, | Wade, | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO RECOMMIT BILL

Mr. PECHAN. Mr. President, I move that House Bill No. 954, on third reading, entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

be recommitted to the Committee on Rules.

The PRESIDENT. Is there a second to the motion?

Mr. WEINER. Mr. President, I would be very happy to discuss this measure at quite some length. However, I do not want to take the time of the Senate to do it now, unless the gentleman would like me to.

I would suggest that the bill go over in order at this time, until I have an opportunity to discuss it with him. If he would like me to do it here on the floor, I will be most happy to do so.

MOTION TO RECOMMIT BILL WITHDRAWN

Mr. PECHAN. Mr. President, with that threat, I will withdraw my motion.

The PRESIDENT. The motion has not been seconded. Do you wish to withdraw it and let the bill go over in order?

Mr. PECHAN. I do, Mr. President.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I now ask unanimous consent that House Bill No. 954, Printer's No. 1364, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 991, entitled:

An Act amending the act of June 8, 1907 (P. L. 496), entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships, vessels and boats and wharves, piers, bulkheads, docks, ships and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor," authorizing cities of the first class to remove wharves, piers, bulkheads, pilings, or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

| | | | |
|--------------|-----------------|---------|-----------|
| Berger, | Koprivier, Jr., | Miller, | Seyler, |
| Camiel, | Lane, | Mullin, | Silvert, |
| DiSilvestro, | Madigan, | Murray, | Stiefel, |
| Donolow, | Mahady, | Ripp, | Van Sant, |
| Fleming, | Mallery, | Rooney, | Wagner, |
| Hays, | McCreesh, | Ruth, | Walker, |
| Kalman, | McGinnis, | Sarraf, | Weiner, |
| Kessler, | McMenamin, | Scott, | Wolfe, |

NAYS—15

| | | | |
|----------|---------|------------|----------|
| Blass, | Harney, | Propert, | Wade, |
| Chapman, | Keller, | Shafer, | Watkins, |
| Ehrgood, | Kromer, | Stevenson, | Whalley, |
| Elliott, | Pechan, | Taylor, | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendemnts.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1017, entitled:

An Act providing for the abatement of nuisances arising out of hazardous unsafe or structurally dangerous buildings or premises in cities of the first class providing for the service or posting of notices relating to the work necessary to abate such nuisances authorizing such cities of the first class themselves or by contract to abate such nuisances under certain conditions providing for the filing of liens for the cost of such work and providing for appeals imposing penalties.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, next to last line of Title, by striking out "and"; Amend Title, page 1, last line of Title, by inserting after "APPEALS": "and"; Amend Sec. 2, page 3, line 12, by inserting after "BOARD": "In the event that the finding of the Board of License and Inspection Review is against the appellant, such appellant may, within fifteen days of such finding, appeal to the Court of Common Pleas of the county"; Amend Sec. 2, page 3, line 15, by inserting after "THE": "final".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1017, Printer's No. 1560, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1121, Printer's No. 1205; and

House Bill No. 1122, Printer's No. 1235.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1189, Printer's No. 1591, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1195, Printer's No. 1268, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1201, entitled:

An Act amending the act of May 24, 1945 (P. L. 967), entitled "Fictitious Name Act," prohibiting assumed or fictitious names, styles or designations from being deceptively similar to other names, styles or designations.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

YEAS—34

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mullin, | Taylor, |
| Blass, | Harney, | Pechan, | Van Sant, |
| Camiel, | Keller, | Propert, | Wade, |
| Chapman, | Kessler, | Ruth, | Wagner, |
| Confair, | Koprivier, Jr., | Sarra, | Walker, |
| Donolow, | Kromer, | Scott, | Watkins, |
| Ehrgood, | Lane, | Shafer, | Whalley, |
| Elliott, | Madigan, | Stevenson, | Wolfe, |
| Flack, | Mallery, | | |

NAYS—9

| | | | |
|---------|-----------|---------|---------|
| Hays, | McCreesh, | Ripp, | Seyler, |
| Kalman, | Murray, | Rooney, | Weiner, |
| Mahady, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1204, Printer's No. 1483, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460), entitled, as amended, "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244), entitled "Local Government Commission Law," clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 1675, Printer's No. 1968, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1997, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" including certain diseases of fire-fighters within the meaning of the term occupational disease.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2120, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053) entitled "Public Utility Law" prescribing an alternative method for fixing the rates of certain common carriers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:) Mr. LANE. Mr. President, I desire to be recorded voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

| | | | |
|----------|-----------------|------------|-----------|
| Barr, | Fleming, | McCreesh, | Taylor, |
| Berger, | Harney, | McGinnis, | Van Sant, |
| Blass, | Hays, | Pechan, | Wade, |
| Camiel, | Keller, | Propert, | Wagner, |
| Chapman, | Kessler, | Rooney, | Walker, |
| Confair, | Koprivier, Jr., | Ruth, | Watkins, |
| Ehrgood, | Kromer, | Scott, | Whalley, |
| Elliott, | Madigan, | Shafer, | Wolfe, |
| Flack, | Mallery, | Stevenson, | |

NAYS—9

| | | | |
|---------|---------|--------|---------|
| Kalman, | Mullin, | Ripp, | Seyler, |
| Lane, | Murray, | Sarra, | Weiner, |
| Mahady, | | | |

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2175, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" validating certain unions of school districts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2292, entitled:

An Act authorizing the marking of highways and intersections in the State highway system and conferring powers on the Department of Highways.

And said bill having been read at length the third time, and agree to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Kalman, | Miller, | Silvert, |
| Berger, | Keller, | Mullin, | Stevenson, |
| Blass, | Kessler, | Murray, | Stiefel, |
| Camiel, | Koprivier, Jr., | Pechan, | Taylor, |
| Chapman, | Kromer, | Propert, | Van Sant, |
| Confair, | Lane, | Ripp, | Wade, |
| DiSilvestro, | Madigan, | Rooney, | Wagner, |
| Donolow, | Mahady, | Ruth, | Walker, |
| Ehrgood, | Mallery, | Sarrafi, | Watkins, |
| Elliott, | McCreesh, | Scott, | Weiner, |
| Flack, | McGinnis, | Seyler, | Whalley, |
| Fleming, | McMenamin, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Hays,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2364, entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2382, Printer's No. 1864, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2420, entitled:

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "Statutory Construction Act" changing the provisions relating to the effective date of certain laws.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarrafi, | Weiner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Taylor, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS INTRODUCED AND REFERRED

Mr. RIPP. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RIPP read in place and presented to the Chair Senate Bill No. 1253, entitled:

An Act amending the act of March 7, 1901 (P. L. 20), entitled "Second Class City Law," further regulating jurisdiction of the court in regard to certain summary offenses.

Which was committed to the Committee on Rules.

Mr. LANE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE read in place and presented to the Chair Senate Bill No. 1254, entitled:

An Act making an appropriation to the Department of Justice for the payment of certain claims against the Commonwealth.

Which was committed to the Committee on Appropriations.

HOUSE BILL No. 1675 CALLED UP

Mr. WADE. Mr. President, I call up, from page 10 of today's Third Reading Calendar, House Bill No. 1675, Printer's No. 1968, which previously went over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators there at and providing a penalty for the violation thereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer corrective amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of Title, by striking out "(Act No. 32)" and inserting: "(P. L. 58)"; Amend Sec. 1, page 2, line 1, by striking out "(Act No. 32)" and inserting: "(P. L. 58)"; Amend Sec. 1 (Sec. 1016.1), page 2, line 7, by inserting after "visibility": "to hesitate"; Amend Sec. 1 (Sec. 1016.1), page 2, line 11, by striking out "stop" and inserting: "hesitate and"; Amend Sec. 1 (Sec. 1016.1), page 2, line 11, by inserting after "necessary": "stop"; Amend Sec. 2 (Sec. 1112), page 3, line 19, by striking out "which are not through highways."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 1675, Printer's No. 1968, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY CURRENT LAWS AND ADMINISTRATIVE PRACTICES RELATING TO THE REGULATION OF THE PRODUCTION, DISTRIBUTION AND MARKETING OF AGRICULTURAL COMMODITIES IN THIS COMMONWEALTH

Mr. HARNEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. HARNEY, ELLIOT and RUTH offered the following resolution (Serial No. 85), which was read and referred to the Committee on Rules:

In the Senate, November 18, 1959.

The production, distribution and marketing of agricultural commodities is an industry of major proportions in the Commonwealth. Farm employment on the one hundred and twenty thousand farms in the Commonwealth involves one hundred and fifty thousand people, and produces a personal income to farm proprietors and employees of over \$379,000,000.

Recent statistics indicate that approximately two thousand assemblers of farm commodities had sales of over \$169,000,000. One hundred and fifteen thousand manufacturers of food and kindred products processed agricultural commodities whose retail market value was over \$2,500,000,000. In 1957, cash receipts received by farmers in the Commonwealth from sales of agricultural products totaled \$762,919,000.

Taking cognizance of the size of the agricultural industry and the scope of its importance to related industries and the populace as a whole, it is apparent that the continued economic well-being, as well as the physical health and welfare of the citizens of the Commonwealth, are intimately connected with the condition of the agricultural industry in this State.

It is necessary that the laws relating to agriculture in this Commonwealth, and the administration thereof, be of such a nature as properly to stimulate farm economy, promote technological development, and the maximum utilization of the resources of the agricultural industry; therefore be it

Resolved, That the Joint State Government Commission be directed to study the current laws and administrative practices relating to the regulation of the production, distribution and marketing of agricultural commodities in this Commonwealth, and to investigate the present condition of the agricultural industry in the Commonwealth, and report its findings and recommendations to the General Assembly.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 117, Printer's No. 822;

House Bill No. 203, Printer's No. 1862; and

House Bill No. 253, Printer's No. 911.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 364, Printer's No. 391, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. WEINER. Mr. President, I move that House Bill No. 496, on second reading, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing the reimbursement payments on account of instruction in certain cases and including kindergarten units in determining the reimbursement fraction and the actual instruction expense definition.

be recommitted to the Committee on Education because I believe further amendments are needed in this measure and I believe we can take care of them best in committee.

Mr. SEYLER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 506, Printer's No. 1964, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 568, on second reading, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" giving additional powers and duties to the Department of Public Instruction relating to acquisition of grounds and construction of school buildings.

be recommitted to the Committee on Rules.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 626, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" increasing monthly pension allowances and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 672, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925" authorizing the use of money in the "fish fund" for an engineering survey of the Susquehanna River.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further regulating school bus lighting equipment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" including neglected children within the powers and duties of the local authorities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 924, Printer's No. 1087, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 1018, on second reading, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" enlarging the power of cities of the first class to levy a fee or tax upon certain motor buses and motor omnibuses transporting passengers for pay or hire from points within such cities to point without such cities and from points without such cities to points within such cities.

be recommitted to the Committee on Rules.

Mr. WATKINS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I can explain this bill if there is some problem about it, and I will be glad to do so.

This bill only applies to the city of Philadelphia. It deals with a problem that we have had for some time. We have a group of buses that come in from New Jersey which are housed in New Jersey and incorporated in the New Jersey area. However, their entire business is done in the city of Philadelphia and on the streets of the city of Philadelphia. If you are ever in the city, you will see, from early in the morning until very late at night, a line of buses—I believe it is the Public Service Company that probably handles them—along the entire Market Street area to Broad Street. Then they go down Broad Street, almost in a single line, alongside the curb, and then out Vine or Race Streets. Sometimes they run on Arch Street, if traffic is moving in that direction.

This would give the city an opportunity to acquire some money from this company which operates in the city. It would also help us in keeping our street paving

up. These streets belong to the city and we maintain them. I think it is rather inequitable for people who actually use this area and obtain money from it, not to, at least, return some money to the city.

The reason for this legislation is that it has been tried by the city, through a court procedure. The court has said that there must be appropriate legislation, giving the city the power to do so. Other communities have been given this same power. We are the only area that has not received it.

If further information is needed on this legislation, I will be glad to supply it. However, to send it back to committee in order to kill it, I think is the wrong thing to do at this time. I would respectfully ask the Republican Members of the Senate to reconsider this matter or allow it to go over in order until I can get some supplemental data that might somewhat take care of the problems that may exist in their minds as to this legislation.

It is very badly needed in our city. We have done it for other communities and I think Philadelphia should at least fare the same as they do.

Mr. WATKINS. Mr. President, personally, I take objection to this bill. I am sure that Senator Weiner, in the past weeks and months, has heard the many discussions from the bus companies in trying to obtain exemption from license fees, exemption from the gasoline tax, exemption from the diesel fuel tax and exemption from gross receipt taxes. I am sure that he realizes the bus lines are in trouble.

If I interpret this bill correctly, Philadelphia wants to collect money from bus lines, chartered lines and any type of buses which might be running into the city of Philadelphia. If that is the case, and if I read the bill right, I want to send it back to committee because, again, it is just an additional tax for Philadelphia. Again, it is in the same category as a wage tax. Tax your neighbors and tax everybody who comes to Philadelphia. We want to have Philadelphia as a city that belongs to everybody in the Commonwealth of Pennsylvania. Everytime we come into Philadelphia on a bus, in order to go to your theaters and various other places, we do not want to be taxed.

Therefore, Mr. President, I insist that this bill be re-committed.

Mr. WEINER. Mr. President, the gentleman is laboring under a misapprehension. I would like, therefore, to correct it for him.

Any exemptions that we gave out were in distressed areas or where the bus companies were under a distressed economical situation. However, I do not think that applies here. These bus companies are in pretty good shape. If you will look at their last statement that they issued, I am sure that the gentleman would wish that he and I owned stock in them. At least, I would wish so. I do not think that the Senator particularly cares to own stock in that bus line.

This does not have anything to do with chartered lines or buses that come in for a day or buses coming from any other areas of the Commonwealth. This is on a regularly operated line that comes into Philadelphia every single day, seven days a week, and hauls people out of it.

Can you tell me what the equity of the situation is where a company is earning its money by coming into an

area and tearing up the streets and doing damage to the area and not putting any money back into it? I think it is a rather inequitable situation and one which can be corrected. Unfortunately, the courts have ruled that this must be done by the Legislature and this is the only means that I know of to do it. I would suggest that if there is some problem with this matter that I can present to the gentleman further, and if the bill will go over in order, I will be glad to present him with any data that he needs in order to convince him that we do need this thing. It will not discriminate against any bus company, nor is that our purpose. We do not want to drive this bus line out of the city of Philadelphia. It serves a purpose by bringing the people from New Jersey into the city of Philadelphia. However, knowing that Senator Watkins is a fair-minded man, I do not believe he would think it fair for people from another State to come into our State and tear up our streets and not, at least, contribute something toward them and keep them in repair, so that they can use them and so they can earn a living and come in to take a job that might have gone to a Pennsylvanian.

Mr. WATKINS. Mr. President, my good friend, Senator Weiner, just seems to collect taxes. I believe, too, that perhaps all those people who are coming into Philadelphia on the buses are very possibly paying the wage tax. I do not know when he is going to stop.

Mr. President, we have to get this Calendar cleared up. We cannot stay here and argue day after day. We want to go home. Senator Weiner can stop the bill from being re-committed if he has the votes today. I do not think we are going to stop him from voting all of his colleagues, whether they are in their seats or not. Let us have a roll call. I say that I still want to recommit the bill. Let us get rid of some of these bills and go home.

Mr. WEINER. Mr. President, I am glad to hear the gentleman from Delaware take a very statesmanlike attitude. I hope that he will carry this through when we get toward the end of the Calendar. There are some bills on there which have been there for two or three weeks and which also have gone over in order for some time. Fortunately or unfortunately, as the situation may be, regardless of everybody being in or out of their seats, the majority of votes happens to be on the Republican side and it is very easy for Senator Watkins to press that lever and pass or not pass any of these bills as they see fit. I am merely asking you to look at the situation in a fair manner.

Although the gentleman may feel a little bit bitter about the Philadelphia situation, there is nothing that this is going to help in relieving some of that bitter feeling. Maybe if these people paid some of this amount of money, we might be able to relieve the people from Delaware County who have jobs in the city of Philadelphia and who pay some of that wage tax. I throw that out to you merely as a suggestion.

Mr. President, I would ask that the bill go over in order for awhile, until we can look into it further. If you see fit to move this piece of legislation, you have the votes to do so and I cannot do anything about it. However, I certainly feel that this is an inequitable way to use those votes in a situation which really needs some real looking into.

Mr. BERGER. Mr. President, I notice that this is an amendment to the Vehicle Code from which cities of the first class were excepted as to the levying of a fee or tax

upon motor buses and motor omnibuses within a radius of ten miles of their suburbs. This amendment goes a lot farther than that particular provision of the act. If the city of Philadelphia wanted to be included in that, it might be a perfectly reasonable thing to do. I doubt very much if that would serve the intent of this bill. However, as it appears now, it would seem that it goes much farther than we allow any other community in the State to go. I will assure the gentleman from Philadelphia that when this bill is returned to committee, we will be glad to discuss it again, and if it can be straightened out to more or less coincide with the rights and privileges given to other cities and communities, I am sure that we will give it proper consideration.

Mr. WEINER. Mr. President, I want to thank the Majority Floor Leader. I am sure it will get proper consideration. My concern is, do we have the votes to bring it back out of committee.

Mr. BERGER. Mr. President, they got it out once.

The PRESIDENT. That is a very true fact.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1079, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Examiners of Architects.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1085, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Examiners of Public Accountants.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1086, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Chiropractic Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1087, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of members of State Board of Nurse Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1088, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Optometrical Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1089, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Chiropractic Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1090, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Barber Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1091, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Registration Board for Professional Engineers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1092, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of members of the State Dental Council and Examining Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1098, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of members of the State Board of Pharmacy.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1094, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and changing the membership of the State Board of Medical Education and Licensure.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1095, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Real Estate Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading, and consideration of House Bill No. 1096, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation and clarifying the duties of the State Board of Cosmetology.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1097, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation of members of the State Board of Osteopathic Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1098, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation of members of the State Board of Veterinary Medical Examiners.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading:

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 1117, Printer's No. 1335; and House Bill No. 1178, Printer's No. 1995.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182), entitled "Chiropractic Registration Act of 1951," permitting students in their final semester of chiropractic college to be admitted to the standard examination.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1233, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing names of State Teachers' Colleges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that Senate Bill No. 1241, Printer's No. 1572, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1242, entitled:

An Act amending the act of June 1, 1959 (Act No. 78), entitled "State Employees Retirement Code of 1959," redefining State employees with respect to officers and employees of certain hospitals leased by the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1261, Printer's No. 1795, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183), entitled "An act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporations shall be legal investments for certain corporations and certain funds," permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1324, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation and clarifying the duties of the State Board of Private Trade Schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1325, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation and clarifying the duties of the State Board of Private Academic Schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1327, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation and clarifying the duties of the State Board of Private Correspondence Schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1328, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation and clarifying the duties of the State Board of Private Business Schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1344, Printer's No. 1876; and
House Bill No. 1380, Printer's No. 1810.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 1384, on second reading, entitled:

An Act amending the act of June 12, 1951 (P. L. 533), entitled "The Mental Health Act of 1951," regulating voluntary admission of minors to institutions and further regulating emergency commitments.

be recommitted to the Committee on Public Health and Welfare.

Mr. HARNEY. Mr. President, I second the motion. The motion was agreed to.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1473, Printer's No. 1996; and
House Bill No. 1474, Printer's No. 1997.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1647, entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance, and operation of a county employes' retirement system in counties of the third class and imposing certain charges in counties," extending the provisions of the act to include certain per diem employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1830, Printer's No. 1999;
House Bill No. 1915, Printer's No. 1969;
House Bill No. 1927, Printer's No. 1889; and
House Bill No. 1971, Printer's No. 1679.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 2000, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1979, Printer's No. 1155; and
House Bill No. 1981, Printer's No. 1156.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 1984, on second reading, entitled:

An Act relating to the payment of wages or compensation for labor or services in private employment providing for regular paydays conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations

of the act providing for their collection and disposition and providing for additional civil damages. be recommitted to the Committee on Rules.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I wish to voice objection to House Bill No. 1984, Printer's No. 1879, going back to committee.

This is a bill to aid people who work for a living in obtaining their wages or compensation. If, for some reason or other, it is withheld from them, they have a right to sue or to proceed in criminal procedures where that is so provided by The Penal Code. I do not believe that anyone is hurt by this measure. I believe if a man works for a living, he certainly should be entitled to collect his wages. If for some reason he does not get them, he certainly should be entitled to some penalty or compensatory damages for the damage he has suffered.

I do not see why we have to put a man to extra expense and not compensate him with an opportunity to get exactly what is his. I do not see how anyone could be hurt by this measure. If an employer is honest and is doing the correct thing for the people who are working for him, he has nothing to fear from this bill. If a man is dishonest and does not want to pay the people who work for him or in some way avoid giving these people who work for him what is theirs, this bill would be an enigma to him.

I can understand some people feeling badly about this measure. However, so do thieves feel badly when laws are enacted preventing thievery. I think this is in that same category.

I, therefore, respectfully ask my colleagues to vote "no" on the recommitment of this bill to committee. I also respectfully ask for a roll call.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WEINER and Mr. HAYS, and were as follows, viz:

YEAS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliot, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

NAYS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

So the question was determined in the affirmative.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2108, Printer's No. 1890, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2150, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. PECHAN and FLACK offered the following amendments:

Amend Sec. 1 (Sec. 1770.1), page 2, line 10, by inserting after "mining": "of anthracite coal."; Amend Section 1 (Section 1770.1), page 2, lines 13, 14, 15 and 16, by striking out all of lines 13, 14 and 15 and the following from line 16, "through investigations and court actions."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. PECHAN and FLACK offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "subsidence": "due to underground mining of anthracite coal."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2150, Printer's No. 1848, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the building or rebuilding of schools and the preparation of drawings for such schools repealing certain provisions concerning heating and ventilating standards and changing provisions relating to the determination of certain reimbursement amounts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HAYS. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2192, Printer's No. 2001; and

House Bill No. 2193, Printer's No. 2002.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2260, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing for levying assessment and collection of taxes by certain independent school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the levying and collection of taxes by certain independent school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 277, Printer's No. 1690, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2297, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2314, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitation with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2316, Printer's No. 1774, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2394, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949 changing the provisions relating to the reading of the Bible in public schools.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

Amend Sec. 1 (Sec. 1516), page 2, line 15, by inserting after "direction": "Any child shall be excused from such Bible reading upon the written request of his parent or guardian."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that House Bill No. 2402, Printer's No. 1798, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330), entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2414, entitled:

An Act amending the act of June 23, 1931 (P.L. 932) entitled "The Third City Code" providing for payment to posts of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2417, entitled:

An Act amending the act of May 28, 1937 (P. L. 955) entitled as amended "Housing Authorities Law" providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WEINER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2419, Printer's No. 1792;

House Bill No. 2436, Printer's No. 1873; and

House Bill No. 2447, Printer's No. 1898.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. McCREESH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH, from the Committee on Elections, reported as committed, House Bill No. 1980, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," further regulating the marking and counting of ballots.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," extending the time during which certain persons can make application to the Civil Service Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General, Retired, in the Pennsylvania National Guard upon George Sarraf.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1161, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1162, entitled:

An Act amending the "City Classification Law," approved June 25, 1895 (P. L. 275), providing for the advance in classification of cities upon their increase in population.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1980, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the marking and counting of ballots.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," to define certain terms to modify eligibility and disqualification, provisions, payments and rates of compensation to revise and increase rates of contribution to limit scope of contribution appeals and to repeal certain provisions concerning employees under Shipping Articles.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1589, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation, and conduct thereof, by the Department of Welfare; and fixing penalties," eliminating fees for licenses issued under the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1980, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the marking and counting of ballots.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. WEINER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. WEINER and MULLIN read in place and presented to the Chair Senate Bill No. 1255, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the annual salaries of judges of the courts of common pleas of the first judicial district.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. BERGER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE RESOLUTION SERIAL No. 79, REPORTED COMMITTEE

Mr. BERGER, from the Committee on Rules, to which was referred resolution offered by Mr. WHALLEY on

November 10, 1959, reported the same without amendment as follows:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE ESTABLISHMENT OF A STATE TEACHERS COLLEGE IN THE BEDFORD COUNTY AREA

In the Senate, November 10, 1959.

Recent surveys and compiled statistics have revealed that unless we now plan and prepare adequate facilities for the training of qualified teachers and instructors, a critical shortage of such trained personnel in the near future will prevent many of our children from attaining that high degree of education so necessary in our present complex and technical society.

While much is being said and in some cases efforts made to expand the present State Teachers' Colleges throughout our Commonwealth in order to meet this demand for additional teachers, little or nothing has been done towards planning or building entirely new institutions in areas of our State where present facilities are not readily available, particularly in those counties along the southern border of our State from the center westward; therefore be it

Resolved, That the Joint State Government Commission be directed to investigate and study whether a new State Teachers' College in the Bedford County area would be feasible and practical; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

The PRESIDENT. The resolution will appear on tomorrow's Calendar.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Thursday, November 19, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 6:55 o'clock, p.m., Eastern Standard Time, until Thursday, November 19, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, November 18, 1959

The House met at 1:00 p.m. Eastern Standard Time.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Most Gracious God of love, who has sent Thy Son into the world as a witness of that love, and Who art ever extending Thy grace toward all mankind, we come to Thee this day in need of Thy counsel and concern. Amid the perplexity and confusion of life men need to experience the extension of Christian fellowship. Use us as Thy workmen to show such love and concern for the problems and difficulties of others, that the love which Thou hast shown to us may become our witness to all mankind: through Jesus Christ, the eternal redemption of us all, we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, November 17, 1959 will be postponed until printed.

The Chair hears none.

SELINGSGROVE HIGH SCHOOL SENIORS
WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House 45 seniors from the Selingsgrove High School, who are here under the direction of their teacher, Mr. William Wells. They are the guests of the gentleman from Snyder County, Mr. H. P. Murray.

SOUTHEASTERN LANCASTER COUNTY HIGH
SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House, the students of the 9th grade Civic Class of the Southern Lancaster County High School. They are here under the supervision of Mrs. Weigand, Mr. Wentzel, Mr. Wilson, Mr. Wilfang. They are the guests of the Messrs. Wood, Royer and Eshelman of Lancaster County.

GEORGE WASHINGTON ELEMENTARY
SCHOOL WELCOMED

The SPEAKER. The Chair welcomes to the Hall of the House, members of the 6th grade of the George Washington Elementary School of Lancaster City. They are here under the supervision of Mr. Steinmetz, Mr. Resh, Mr. Doerr, and they are the guests of the gentleman from Lancaster, Mr. Paul G. Murray.

PERMISSION GRANTED COMMITTEES TO
MEET DURING SESSION

Mr. LIMPER asked and obtained permission for the Committee on Cities—Counties First Class to meet during the session of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mrs. MONROE for today and the remainder of the week because of illness.

Mrs. Varallo for Mr. McKEEVER for Wednesday and Thursday because of official business.

Mrs. Varallo for Mr. BRETH for today.

Mrs. Varallo for Mr. HEAVEY for today because of illness.

Mr. Willaredt for Mr. STEVENS for today.

Mr. Willaredt for Mr. T. H. W. JONES for today.

The SPEAKER. The Chair is requesting the gentleman from Cameron, Mr. Tompkins, to preside temporarily.

Mr. TOMPKINS IN THE CHAIR

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY
SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 227.

An Act amending the act of July 12 1919 (P. L. 941) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution * * *" changing provisions relating to the contents of the Legislative Journal.

SENATE BILL No. 644.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

SENATE BILL No. 983.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

PERMISSION TO ADDRESS HOUSE

Mr. SHERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, a question which has arisen is: What has been done in behalf of the juvenile delinquency problem in this Commonwealth in order to give some reimbursement to the unfortunate parents who have had damages caused by the actions of their children?

House Bill No. 141 passed this House and, as amended, passed the Senate in August. I have been told that regardless of the efforts made by Members of the House Committee to meet with the Members of the other Chamber, no meetings could be arranged.

I rise to make this important statement because I understand this has occurred on bills in addition to one particular bill which I deem very important—and I am sure you ladies and gentlemen on both sides of the aisle deem it important. It is a bill on which there has been quite some argument in this Session.

I say that there are at least 25 or 30 bills of similar character on which even the conference committee on the other side of the House has seen not fit to meet. I contend these bills, or at least some of them, are quite important. As far as House Bill 141 is concerned, I request that the conference committee do meet and

report favorably a bill which is anxiously awaited by many people on both sides of this House.

Mrs. HENZEL. Mr. Speaker, I should like to inform the gentleman from Philadelphia that a meeting is scheduled for this afternoon with the Members of the Senate conference committee, on House Bill 141.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I think it is part of legislative procedural due process that all legislation affecting the people should appear on the calendar of this House on the day the record vote is taken, in order that Members have procedural notice, and as agents of the people we need such notice to properly discharge our duties as representatives of our constituents and the whole Commonwealth of Pennsylvania.

I therefore urge the Rules Committee to report my amendment to the rules to the floor for passage.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, before we begin today we would like to announce that we will work the first reading calendar, the second reading calendar and will vote on the bills that have been caucused on that are on third reading at this point. Then there will be a break of 45 minutes for a caucus covering all the bills on final passage and third reading that have not been caucused on, and come right back here to the floor and vote on all of those bills.

With that, Mr. Speaker, I request permission for you to start first reading bills on today's calendar, and move right through the second reading bills.

REPORT FROM COMMITTEE

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as amended, House Bill No. 2295, entitled:

An Act amending "The Vehicle Code", approved April 29, 1959 (P. L. 58) changing provisions concerning limitations of actions and proceedings by information and warrant and imposing costs for failure to appear in certain cases.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 319, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 866, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing names of State Teachers' Colleges.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1106, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) defining "educational secretary" and providing for their certification.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1280, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) increasing the minimum compensation of election officers in certain counties.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2018, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *" further regulating the salary of the first aid and mine rescue instructors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2019, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania * * *" regulating the salary of electrical inspectors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2167, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) regulating the number of hours in a school year.

The first section was read.

On the question,

Will the House agree to the section?

Mrs. REIBMAN offered the following amendments:

Amend Title, page 1, last line of Title, by striking out "a school year" and inserting "kindergartens."

Amend Section 1, page 2, line 1, by striking out "SUBSECTIONS (A) AND (B)" and inserting "Subsection (a)."

Amend Section 1, page 2, line 3, by striking out "ARE" and inserting "is."

Amend Section 1 (Section 1504), page 2, line 6, by striking out the bracket before "Un-."

Amend Section 1 (Section 1504), page 2, lines 10 to 20, and page 3, lines 1 to 5, by striking out "and establish the and page 3, lines 1 to 5, by striking out "]" and establish the time for opening" in line 10, and all of lines 11 to 20 on page 2, all of lines 1 to 4 and "DIRECT" in line 5 on page 3.

Amend Section 1 (Section 1504, page 3, lines 11 to 20, page 4, lines 1 to 20 and page 5, lines 1 to 12, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2457, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the residence qualifications of electors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh, Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 290, entitled:

An Act authorizing the governing bodies of political subdivisions to remove members of Authorities created by such political subdivisions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be re-committed to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania for the completion of a girls' dormitory.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-

eighth day of July one thousand nine hundred forty-one (Pamphlet Laws 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents income and the proceeds of the resale of such lands.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester County for use of the West Chester State Teachers' College.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 2266, Printer's No. 1366, together with communication from the Governor be taken from the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2266 FROM GOVERNOR.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 16, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2266, Printer's No. 1366, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RESOLUTION

RETURNING HOUSE BILL No. 2266 TO GOVERNOR

Mr. MUSTO offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 18, 1959.

Resolved (The Senate Concurring), That House Bill No. 2266, Printer's No. 1366, entitled "An act amending the act of June 2, 1891 (P. L. 176), entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith,' changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports," which was recalled from the Governor November 16, 1959, for the purpose of amendment be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to have permission of the House to discuss an item for the information of the House regarding today's operation.

Yesterday in the Senate there was a series of 60 bills passed. Of these bills 41 bills required either concurrence or nonconcurrence. Each bill, with the figures in the bill, is a part of the entire Conference Committee's work, composed of Senator Kessler, Senator Fleming, Senator Weiner, Mr. Polen, myself and Mr. Tompkins.

I was going to request today to proceed, after our caucus, to take each bill and make the motion to concur or nonconcur. Every bill but two was to be concurred in at this point, and those that are to be nonconcurred in are already agreed to as to the corrective language struck out of the bill. For example, one bill which would be for nonconcurrence, is House Bill 2324. They struck out "with the approval"; they struck out "Department of Public Welfare," and left in "Auditor General." The

purpose of the agreement would be so it would properly read, "with the approval of the Secretary Department of Public Welfare and the Auditor General." In other words, that would be the only change in the bill for non-concurrence and on this the Conference Committee has basically agreed, and actually the Conference Committee report is being prepared for the motions.

I am requesting when the Republican Members go to caucus that each of these bills be considered because I would like this afternoon or at the proper time, to have the privilege to concur or nonconcur in them. These are all the bills that deal with figures, they are appropriation bills. They are either non-preferred or non-budgeted appropriation bills which have been agreed to by the Conference Committee. Should you fail and want not to agree to this, then each of these bills, plus the other bills received today, have to be placed on the calendar, even though they are here. You have every one of these printed bills in the new print number on your desks in the file and they have been there since the day they were amended in the Senate. This would save a considerable amount of printing, and under this situation I am requesting that this be considered carefully.

The figures have been checked again throughout the night. Last night the Chairman of the Committee on Appropriations and I checked every single bill from the master sheet, and the figures are exactly as they were agreed to in the Conference Committee, with the adjustments that were made on certain bills by the formulas that were used or the deficit that existed in the particular institution. This is a problem I want to present to you for your discussion today.

Mr. A. W. JOHNSON. Mr. Speaker, what the Majority Leader in effect is saying is, he wants to waive the practice of having the bills printed on our calendar for concurrence in Senate amendments, and is asking us to go up to our caucus and go over the bills and then come down here and vote to concur or nonconcur.

This, as far as I am concerned, is a caucus matter. First of all, I will submit to the caucus whether they will waive the practice of having them on our printed calendar, and, secondly, if they vote in the affirmative, may I be furnished with the bills so we can rapidly go over each bill and explain to our Members what each bill does.

I am sure we can probably come down here and concur. I realize you say the bills are in our binders, but there are some 60 bills that have been passed. If I can be furnished by the Chief Clerk's office with the bills in question so we can very quickly inform the Members about each item, I imagine they would be fair about it and go along as requested.

Mr. McCANN. Mr. Speaker, could I interrogate the Minority Leader a moment?

The SPEAKER pro tempore. Will the Minority Leader permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, would the Minority Leader consent, if I gave him the complete file from which we worked last night on which each one says, ok, concur, or no change. I would like to bring to your attention that we worked three hours and a half, and you are asking for a 45-minute caucus. But we will present you with the complete file.

Mr. A. W. JOHNSON. I realize that time may be at

a premium here, but the Members on this side like to be well informed, and I will gladly take the file if it is the equivalent of the bills, we will be glad to receive them. Thank you very kindly.

The SPEAKER pro tempore. The Chair would like to call to the attention of the respective Floor Leaders that all of these bills in their amended form are on the Members' desks and have been for sometime. What we are actually discussing is whether or not we might suspend the Rules, I imagine, regarding the necessity of having them included on the calendar.

Mr. A. W. JOHNSON. Mr. Speaker, I have copies of the bills and I will submit the proposition of the Majority Leader to our caucus and when we return we will report.

Mr. McCANN. Mr. Speaker, there are two bills. One is an appropriation bill and one is not, in a sense, an appropriation bill, in which bills I would like to have the permission of the Minority Leader to nonconcur, since the Conference Committee will move right through.

The first bill, as I mentioned, is an appropriation bill. That would be House Bill 2324, Printer's No. 1941. It is an act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals. In that particular bill the Conference Committee of the Senate and the House have already agreed and the corrective language is already agreed to. In fact, the Conference Committee report is now ready for the motions.

The second bill is House Bill 505, Printer's No. 1888. This is an act amending the local health administration law, in which an amendment was placed by the Senate, providing that one percent of the people could by petition place this on the ballot each year. Our discussion deals with changing, the one year to the normal period of once in every five years when they may submit it to the electorate the same as they do anything else regarding the county health plan.

This is the enabling legislation, that is, House Bill 505, and I would like to make the motion to nonconcur in it since we are going into Conference Committee. If that is agreed to. I request the Parliamentarian and the Chief Clerk to pull out House Bill 2324, Printer's No. 1941, and House Bill 505, Printer's No. 1888, for the purposes of the necessary motions.

RECESS

Mr. McCANN. Mr. Speaker, at this time I am going to ask for a recess of 45 minutes. I am going to request the Democratic Members to bring with them their calendars and to proceed immediately to the new House Caucus Room, so that we may caucus on all final passage bills, all third reading bills that have not been acted on, Conference Committee Reports and concurrences in Senate amendments. I ask that they cooperate very kindly at that time, so that I may be able to return here at the proper time.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to call a similar caucus and would appreciate it if the Members would bring their calendars to the caucus room immediately upon the calling of the recess.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2324.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

With the information that the Senate had passed the same with amendments, in which the concurrence of the house of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words "thirty two million five hundred thousand dollars (\$32,500,000)" and inserting in lieu thereof the following; "twenty eight million dollars \$28,000,000"; page 2, line 2, by striking out after the word "hospitals" the words "in the manner" and inserting in lieu thereof the words "in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as"; line 7, by striking out after the word "any" the word "reduced" and inserting in lieu thereof the word "lesser"; line 7, by inserting after the second word "rate" the words "contracted between the hospital and patient"; line 13, by striking out after the word "and" and following: "for each day of part pay service the proportion of ten dollars (\$10) per diem rate above which the person treated is not able to pay bears to the regular word rate nursery rate pediatric rate or reduced rate for free service" and inserting in lieu thereof the following: "all moneys received on account of the care of the patient shall be reported as a credit against the gross earnings of free and part pay service chargeable against this appropriation"; Page 3, line 7, by striking out the figures "500,000" and inserting in lieu thereof the figures "490,000"; line 15, by striking out the figures "66,500" and inserting in lieu thereof the figures "68,000"; line 18, by striking out the figures "75,000" and inserting in lieu thereof the figures "83,000"; Page 4, line 1, by striking out the figures "65,000" and inserting in lieu thereof the figures "68,000"; line 15, by striking out the figures "186,000" and inserting in lieu thereof the figures "181,000"; line 16, by striking out the figures "220,000" and inserting in lieu thereof the figures "215,000"; page 5, line 1, by striking out the figures "38,000" and inserting in lieu thereof the figures "45,000"; page 6, line 13, by striking out the figures "540,000" and inserting in lieu thereof the figures "500,000"; line 16, by striking out the figures "40,000" and inserting in lieu thereof the figures "35,000"; page 7, line 6, by striking out the figures "35,000" and inserting in lieu thereof the figures "38,000"; line 8, by striking out the figures "30,000" and inserting in lieu thereof the figures "35,000"; line 10, by striking out the figures "20,000" and inserting in lieu thereof the figures "30,000"; line 17, by striking out the figures "77,000" and inserting in lieu thereof the figures "85,000"; page 8, line 3, by striking out the figures "95,000" and inserting in lieu thereof the figures "100,000"; line 10, by striking out the figures "189,000" and inserting in lieu thereof the figures "154,000"; line 15, by striking out the figures "185,000" and inserting in lieu thereof the figures "193,000"; page 9, by striking out lines 6 and 7, as follows: "Osteopathic Hospital of Philadelphia (48 & Spruce)... 9,600", "Osteopathic Hospital of Philadelphia (20th & Susquehanna)... 40,000" and inserting in lieu thereof the following: "Osteopathic Hospitals of Philadelphia (48th & Spruce and 20th & Susquehanna)... 49,600"; line 13, by striking out entire line as follows: "Philadelphia General Hospital... 4,500,000"; page 10, line 1, by striking out the figures "350,000" and inserting in lieu thereof the figures "365,000"; page 11, line 2, by striking out the figures "95,000" and inserting in lieu thereof the figures "102,000"; line 4, by striking out the figures "97,500" and inserting in lieu thereof the figures "104,000"; page 12, by striking out the figures "67,000" and inserting in lieu thereof the figures "80,000"; line 17, by striking out the figures "\$32,500,000" and inserting in lieu thereof the figures "\$28,000,000"; Section 2, line 20, page 12, by striking out the following: "the De-

partment of Public Welfare with the approval of"; page 13, line 11, by inserting the following: "Section 3 Except in cases of accident or emergency only bonafide residents of Pennsylvania shall be entitled to the free service provided for in this act"; Page 13, line 15, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "4".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 505.

An Act amending the act of August 24, 1951 (P. L. 1304), entitled "An act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class," extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 2, line 12, by inserting after the word "class" the following: "and providing for the dissolution of and withdrawal from certain departments of health."

Amend Section 1, page 4, by inserting after line 5 the following: "Section 2 The act is amended by adding after section 5 a new section to read:

Section 5.1 Dissolution of and withdraw from county departments of health.

(a) When a single-county department of health is created it may be dissolved by a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.

(b) When a joint-county department of health is created any county being a member thereof may withdraw from the department by conducting a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.

(c) A petition requesting the dissolution or withdrawal shall be signed by qualified electors of the county equal

in number to at least one per centum (1%) of the highest total vote cast for any county office at the last municipal election the petition shall be in the form required for nomination petitions by the election laws of the commonwealth except that the said petition shall be circulated for not more than six (6) months prior to the last filing day which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question the petition shall be filed with the county board of elections and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.

After the validity of the petitions in all the counties affected has been determined the county commissioners shall cause the question to be submitted at the next general or municipal election whichever is sooner so long as such election is to occur at least thirty (30) days after the validity has been determined the question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms.

(1) For the dissolution of a single-county department of health.

Shall county dissolve its county department of health?

Yes

No

(2) For the withdrawal from a joint-county department of health.

Shall county withdraw from the joint-county department of health.

Yes

No

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable for the dissolution of a single-county department of health or withdrawal from a joint-county department of health. A majority of all votes cast in each county upon the question must be in favor thereof.

(d) When in the case of a single-county department the voters elect to dissolve the department or in the case of a joint-county department the voters elect to withdraw no new department of health may be created by resolution no may the commissioners resolve to join with another county or other counties to create a joint department"; page 7, line 17, by striking out after the word "Section" the numeral "2" and inserting in lieu thereof the numeral "3".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS CALLED UP OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2256, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, may I have permission to speak on 2256, 2257 and 2258 at one time since all of the bills are companion bills?

The SPEAKER pro tempore. Without objection the gentleman will proceed.

Mr. McCANN. Mr. Speaker, these three bills, House Bills 2256, 2257 and 2258, which are a package of amendments to the Fiscal Code, the Corporation Income Tax Law, and the Corporation Net Income Tax Act, make uniform the period of time in which settlement and resettlement of taxes may be made regarding these three acts.

These three bills would make uniform the period of time as three years. That is, all the bills do, and this is rather a great improvement in our opinion because even though the present law, for example, in each year by filing the proper papers they can extend another year, another year and another year, and businesses and corporations do not have an opportunity to finally settle their completed cases. This makes it a uniform period of three year, and I believe there is no opposition to this type of legislation which is beneficial to everyone concerned, both the Department of Revenue and the business corporations that file the taxes and reports under these laws.

I ask that the House support these three measures as a package in the affirmative position.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Gallagher, | McDonald, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Ashton, | Gelfand, | McLaughlin, | Schaaf, |
| Auker, | George, | Machmer, | Schuster, |
| Balthaser, | Gibb, | Magee, | Seltzer, |
| Barton, | Goldstein, J. H., | Mahan, | Sherman, |
| Bell, | Goldstein, M. H., | Markley, | Shupnik, |
| Blair, | Goodrich, | Maxwell, | Silverman, |
| Boles, | Gramlich, | Meholchick, | Snare, |
| Bonner, | Guthrie, | Merry, | Snider, |
| Boris, | Hamilton, | Mihm, | Stank, |
| Bower, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvic, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P. | Tompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | |
| Fulmer, | McCandless, | Rovanse, | Andrews, |
| Gailey, | McCann, | Royer, | Speaker |

NAYS—0

NOT VOTING—19

| | | | |
|---------|------------------|-------------|------------|
| Agnew, | Dengler, | McCormack, | Rudisill, |
| Bowman, | Dennis, | McKeever, | Schwartz, |
| Breth, | Heavey, | Monroe, | Stevens, |
| Brown, | Helm, | Moran, | Strausser, |
| Cooper, | Jones, T. H. W., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2257, entitled:

An Act amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Gallagher, | McDonald, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Ashton, | Gelfand, | McLaughlin, | Schaaf, |
| Auker, | George, | Machmer, | Schuster, |
| Balthaser, | Gibb, | Magee, | Seltzer, |
| Barton, | Goldstein, J. H., | Mahan, | Sherman, |
| Bell, | Goldstein, M. H., | Markley, | Shupnik, |
| Blair, | Goodrich, | Maxwell, | Silverman, |
| Boles, | Gramlich, | Meholchick, | Snare, |
| Bonner, | Guthrie, | Merry, | Snider, |
| Boris, | Hamilton, | Mihm, | Stank, |
| Bower, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnar, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Loprestl, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | |
| Fulmer, | McCandless, | Rovansek, | Andrews, |
| Galley, | McCann, | Royer, | Speaker |

NAYS—0

NOT VOTING—19

| | | | |
|---------|------------------|-------------|------------|
| Agnew, | Dengler, | McCormack, | Rudisill, |
| Bowman, | Dennis, | McKeever, | Schwartz, |
| Breth, | Heavey, | Monroe, | Stevens, |
| Brown, | Helm, | Moran, | Strausser, |
| Cooper, | Jones, T. H. W., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2258, entitled:

An Act amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208) further regulating the time when settlement and resettlement of taxes may be made and when notice of settlement and resettlement shall be given to taxpayers.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Gallagher, | McDonald, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Ashton, | Gelfand, | McLaughlin, | Schaaf, |
| Auker, | George, | Machmer, | Schuster, |
| Balthaser, | Gibb, | Magee, | Seltzer, |
| Barton, | Goldstein, J. H., | Mahan, | Sherman, |
| Bell, | Goldstein, M. H., | Markley, | Shupnik, |
| Blair, | Goodrich, | Maxwell, | Silverman, |
| Boles, | Gramlich, | Meholchick, | Snare, |
| Bonner, | Guthrie, | Merry, | Snider, |
| Boris, | Hamilton, | Mihm, | Stank, |
| Bower, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnar, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Loprestl, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | |
| Fulmer, | McCandless, | Rovansek, | Andrews, |
| Galley, | McCann, | Royer, | Speaker |

NAYS—0

NOT VOTING—19

| | | | |
|--|---|---|--|
| Agnew, Bowman, Breth, Brown, Cooper, | Dengler, Dennis, Heavey, Helm, Jones, T. H. W., | McCormack, McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|--|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 428, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" permitting additional methods of sharing annual lease rentals for projects constructed for more than one school district.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—148

| | | | |
|--|--|--|---|
| Ashton, Auker, Balthaser, Barton, Blair, Boles, Bonner, Boris, Bower, Brenninger, Buchanan, Burns, Capano, Clom, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Down, Edwards, Eshback, Eshleman, Ewing, Fetterolf, Filo, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, Galley, | Gallagher, Garlock, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Holliday, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jump, Kamyk, Kelser, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Luigard, Lutty, McCandless, McCann, McDonald, McInroy, | McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, H. G., Mills, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Ogilvie, O'Neill, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Royer, | Sakulsky, Schaaf, Schuster, Seltzer, Shupnik, Snare, Snider, Stank, Steckel, Stimmel, Stone, Stoner, Thompson, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|--|---|

NAYS—42

| | | | |
|---|--|--|---|
| Anderson, Arlene, Bell, Branca, Capitolo, Clanfrani, Dougherty, Ellberg, Farabaugh, Fineman, Floyd, | Gelfand, Hocker, Holt, Horst, Isaacs, Jones, F. R., Kee, Kernaghan, Lee, A. M., Light, Limper, | Lippincott, Lopresti, Miller, B. Z., Muldowney, O'Donnell, J. P., Odoristo, Parlante, Pashley, Perry, P. E., Riley, | Rovansek, Scarcelli, Sherman, Silverman, Stewart, Stroup, Sullivan, Taylor, Tompkins, Welsh, |
|---|--|--|---|

NOT VOTING—19

| | | | |
|--|---|---|--|
| Agnew, Bowman, Breth, Brown, Cooper, | Dengler, Dennis, Heavey, Helm, Jones, T. H. W., | McCormack, McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|--|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 7,715 square feet of land situate in East Allen Township, Northampton County.

On the question,

Will the House agree to the bill on third reading?

Mrs. MARKLEY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by inserting after "convey": "all or any part of."

Amend Sec. 1, page 1, line 3 by inserting after "sell": "all or any part of."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House Bill No. 814, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts, county boards of elections, county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by removing prohibition against unincorporated associations making political contributions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—101

| | | | |
|------------|---------------|---------------------|------------|
| Anderson, | Gailey, | Meholchick, | Rovansek, |
| Arlene, | Gallagher, | Mihm, | Sakulaky, |
| Balthaser, | Garlock, | Mills, | Scarcelli, |
| Boles, | Gelfand, | Muldowney, | Schaaf, |
| Bonner, | Hamilton, | Mullen, | Schuster, |
| Branca, | Holt, | Munley, | Sherman, |
| Burns, | Irviss, | Murphy, A. J., Jr., | Shupnik, |
| Capano, | Jenkins, | Murray, J. J., | Silverman, |
| Capitolo, | Jim, | Musto, | Snider, |
| Cianfrani, | Jones, F. R., | Needham, | Stank, |
| Cioffi, | Kamyk, | Neelson, | Stone, |
| Clarke, | Kee, | O'Donnell, J. A., | Sullivan, |
| Comer, | Kornick, | O'Donnell, J. P., | Taylor, |
| Crossin, | Kovolenko, | O'Neill, | Trusio, |
| Curwood, | Kubitsky, | Parlante, | Varallo, |
| Devlin, | Lamb, | Pashley, | Verona, |
| Dougherty, | Leonard, | Perry, H. H., | Walsh, |
| Ellberg, | Limper, | Perry, P. E., | Wargo, |
| Farabaugh, | Lopresti, | Petrosky, | Welsh, |
| Filo, | Luigard, | Polaski, | Wheeler, |
| Fineman, | Lutty, | Polen, | Worley, |
| Floyd, | McCann, | Prendergast, | Yatron, |
| Flynn, | McDonald, | Reibman, | Yetter, |
| Foerster, | McLaughlin, | Renwick, | Andrews, |
| Frank, | Machmer, | Riley, | Speaker |
| Frascella, | Maxwell, | | |

NAYS—37

| | | | |
|-------------|-------------------|----------------|----------------------|
| Ashton, | George, | Lee, K. B., | Snare, |
| Auker, | Gibb, | Light, | Steckel, |
| Barton, | Goldstein, J. H., | Lippincott, | Stewart, |
| Bell, | Goodrich, | McCandless, | Stimmel, |
| Blair, | Gramlich, | McInroy, | Stoner, |
| Boris, | Guthrie, | Magee, | Stroup, |
| Bower, | Heffner, | Mahan, | Thompson, |
| Bowman, | Henzel, | Markley, | Tompkins, |
| Brenninger, | Hocker, | Merry, | Ujobal, |
| Buchanan, | Holliday, | Miller, B. Z., | Varner, |
| Davis, | Horst, | Miller, H. G., | Wall, |
| Dennison, | Isaacs, | Murray, H. P., | Weidner, |
| Donahue, | Johnson, A. W., | Murray, P. G., | Whittaker, |
| Donaldson, | Johnson, R., | Naugle, | Williams, A. D., Jr. |
| Down, | Jump, | O'Dell, | Williams, E. S., |
| Edwards, | Kelser, | Odorisio, | Willard, |
| Eshback, | Kernaghan, | Ogilvie, | Willaredt, |
| Eshleman, | Kessler, | Price, | Wilt, |
| Ewing, | Knecht, | Pursley, | Wood, |
| Fetterolf, | Kooker, | Rigby, | Wynd, |
| Fox, | Korns, | Royer, | Zimmerman, |
| Fulmer, | Lee, A. M., | Seltzer, | |

NOT VOTING—21

| | | | |
|----------|-------------------|----------------|------------|
| Agnew, | Goldstein, M. H., | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Murphy, P. J., | Strausser, |
| Dengler, | McCormack, | Reidenbach, | Wescott, |
| Dennis, | | | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

THE SPEAKER (Hiram G. ANDREWS) IN THE CHAIR

STATEMENT BY SPEAKER

The SPEAKER. By way of a brief correction: I notice in the current Press that our Parliamentarian, S. Edward Moore, received a gift certificate for steam ship tickets.

He did not receive anything of the kind. He did receive a toy cargo boat and a wish was expressed that it might be symbolic of a slow boat to China. What Mr. Moore received was a modest gift certificate that enabled him to buy two travelling bags. Now since he has been in the service of the House 50 years, he may contemplate sometime in the next 10 or 15 years taking a trip to China in

a slow boat. When he does, he will buy his own tickets. During his service of 50 years, unless on official business, our Parliamentarian has never traveled for free, he has always traveled, when not on official business, out of his own pocket.

The SPEAKER. The Chair requests the gentleman from Cameron, Mr. Tompkins, to return to the rostrum.

Mr. TOMPKINS IN THE CHAIR

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 990.

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employes.

Referred to the Committee on Rules.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 2363.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employes' Retirement Board and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS

The SPEAKER pro tempore. The Chair now declares a recess for the period of forty-five minutes.

The Chair hears no objection.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. ANDREWS) IN THE CHAIR

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2442, entitled :

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further regulating the swearing to and affirming of certain informations charging summary offenses and the filing of such informations with courts having jurisdiction thereof.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Gallagher, | McInroy, | Sakulsky, |
| Arlene, | Garlock, | McLaughlin, | Scarcelli, |
| Ashton, | Gelfand, | Machmer, | Schaaf, |
| Auker, | George, | Magee, | Schuster, |
| Balthaser, | Gibb, | Mahan, | Seltzer, |
| Barton, | Goldstein, J. H., | Markley, | Sherman, |
| Bell, | Goldstein, M. H., | Maxwell, | Shupnik, |
| Blair, | Gramlich, | Meholchick, | Silverman, |
| Boles, | Guthrie, | Merry, | Snare, |
| Bonner, | Hamilton, | Mihm, | Snider, |
| Boris, | Heffner, | Miller, B. Z., | Stank, |
| Bower, | Henzel, | Miller, H. G., | Steckel, |
| Bowman, | Hocker, | Mills, | Stewart, |
| Branca, | Holliday, | Muldowney, | Stimmel, |
| Brenninger, | Holt, | Mullen, | Stone, |
| Buchanan, | Horst, | Munley, | Stoner, |
| Burns, | Irvis, | Murphy, A. J., Jr., | Stroup, |
| Capano, | Isaacs, | Murphy, P. J., | Sullivan, |
| Capitolo, | Jenkins, | Murray, H. P., | Taylor, |
| Cianfrani, | Jim, | Murray, J. J., | Thompson, |
| Cioffi, | Johnson, A. W., | Murray, P. G., | Tompkins, |
| Clarke, | Johnson, R., | Musto, | Trusio, |
| Comer, | Jones, F. R., | Naugle, | Ujobal, |
| Crossin, | Jump, | Needham, | Varallo, |
| Curwood, | Kamyk, | Nelson, | Varner, |
| Davis, | Kee, | O'Dell, | Verona, |
| Dennison, | Keiser, | O'Donnell, J. A., | Wall, |
| Devlin, | Kernaghan, | O'Donnell, J. P., | Walsh, |
| Donahue, | Kessler, | Odorisio, | Wargo, |
| Donaldson, | Knecht, | Ogilvie, | Weidner, |
| Dougherty, | Kooker, | O'Neill, | Welsh, |
| Down, | Kornick, | Parlante, | Wescott, |
| Edwards, | Korns, | Pashley, | Wheeler, |
| Ellberg, | Kovolenko, | Perry, H. H., | Whittaker, |
| Eshback, | Kubitsky, | Perry, P. E., | Williams, A. D., Jr., |
| Eshlemaa, | Lamb, | Petrosky, | Williams, E. S., |
| Ewing, | Lee, A. M., | Polaski, | Willard, |
| Farabaugh, | Lee, K. B., | Polen, | Willaredt, |
| Filo, | Leonard, | Prendergast, | Wilt, |
| Fineman, | Light, | Price, | Wood, |
| Floyd, | Limper, | Pursley, | Worley, |
| Flynn, | Lippincott, | Reibman, | Wynd, |
| Foerster, | Lopresti, | Renwick, | Yatron, |
| Fox, | Luigard, | Rigby, | Yetter, |
| Frank, | Lutty, | Riley, | Zimmerman, |
| Frascella, | McCandless, | Rovansek, | |
| Fulmer, | McCann, | Royer, | Andrews, |
| Galley, | McDonald, | | Speaker |

NAYS—2

Fetterolf, Goodrich,

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Interstate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—132

| | | | |
|-----------|-----------|-------------|------------|
| Anderson, | Foerster, | Limper, | Royer, |
| Arlene, | Fox, | Lippincott, | Scarcelli, |
| Ashton, | Frank, | Lutty, | Schuster, |

| | | | |
|-------------|-----------------|---------------------|------------------|
| Auker, | Frascella, | McCandless, | Seltzer, |
| Balthaser, | Fulmer, | McCann, | Sherman, |
| Bell, | Gallagher, | McInroy, | Silverman, |
| Boles, | Garlock, | Magee, | Snare, |
| Bonner, | George, | Mahan, | Steckel, |
| Boris, | Gibb, | Markley, | Stimmel, |
| Bower, | Goodrich, | Merry, | Stone, |
| Bowman, | Gramlich, | Miller, B. Z., | Stoner, |
| Branca, | Hamilton, | Miller, H. G., | Stroup, |
| Brenninger, | Heffner, | Muldowney, | Sullivan, |
| Buchanan, | Henzel, | Mullen, | Taylor, |
| Capitolo, | Hocker, | Munley, | Thompson, |
| Cianfrani, | Holt, | Murphy, A. J., Jr., | Tompkins, |
| Cioffi, | Horst, | Murphy, P. J., | Ujobal, |
| Clarke, | Irvis, | Murray, H. P., | Varallo, |
| Comer, | Isaacs, | Murray, J. J., | Varner, |
| Davis, | Jenkins, | Murray, P. G., | Walsh, |
| Dennison, | Johnson, A. W., | Naugle, | Wargo, |
| Donahue, | Johnson, R., | Needham, | Weidner, |
| Donaldson, | Jones, F. R., | O'Dell, | Welsh, |
| Dougherty, | Jump, | O'Donnell, J. P., | Wescott, |
| Down, | Kee, | Ogilvie, | Wheeler, |
| Edwards, | Keiser, | Parlante, | Williams, E. S., |
| Ellberg, | Kernaghan, | Pashley, | Willard, |
| Eshleman, | Knecht, | Perry, P. E., | Willaredt, |
| Ewing, | Kooker, | Petrosky, | Wood, |
| Fetterolf, | Kovolenko, | Price, | Wynd, |
| Filo, | Kubitsky, | Pursley, | Yatron, |
| Fineman, | Lee, K. B., | Rigby, | Yetter, |
| Floyd, | Leonard, | Riley, | Zimmerman, |

NAYS—52

| | | | |
|------------|-------------|-------------------|-----------------------|
| Barton, | Holliday, | Maxwell, | Sakulsky, |
| Blair, | Jim, | Mihm, | Schaaf, |
| Burns, | Kamyk, | Mills, | Shupnik, |
| Capano, | Kessler, | Musto, | Snider, |
| Crossin, | Kornick, | Nelson, | Stank, |
| Curwood, | Korns, | O'Donnell, J. A., | Stewart, |
| Devlin, | Lamb, | O'Neill, | Trusio, |
| Eshback, | Lee, A. M., | Perry, H. H., | Verona, |
| Farabaugh, | Light, | Polaski, | Wall, |
| Flynn, | Lopresti, | Prendergast, | Williams, A. D., Jr., |
| Galley, | Luigard, | Reibman, | Wilt, |
| Gelfand, | McCormack, | Renwick, | Worley, |
| Guthrie, | McKeever, | Rovansek, | Andrews, |
| | | | Speaker |

NOT VOTING—25

| | | | |
|-------------------|-------------------|-------------|-------------|
| Agnew, | Goldstein, M. H., | Machmer, | Reidenbach, |
| Breth, | Heavey, | Meholchick, | Rudisill, |
| Brown, | Helm, | Monroe, | Schwartz, |
| Cooper, | Jones, T. H. W., | Moran, | Stevens, |
| Dengler, | McCormack, | Odorisio, | Strausser, |
| Dennis, | McKeever, | Polen, | Whittaker, |
| Goldstein, J. H., | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21 1943 (P. L. 571) specifying when tax levies in counties of the eighth class may first be based on assessments from valuations made with the use of the permanent system of records.

On the question,

Shall the bill pass finally?

Mr. DAVIS. Mr. Speaker, I would like to offer a further word of explanation in extension of my remarks of yesterday.

This bill affects only any county of the eighth class which elects to use it. The primary objective of this bill is to anticipate by a year the use of the new permanent

system of assessment. My own county of Forest is very hard pushed, not only in the county administration, but also in the schools. The passage of this bill would permit this anticipated speed-up both as to the new assessments and as to the filing of the intent of appeals so that the budget could be made more firmly a year in advance, and also it would permit the school districts to take advantage of it. Briefly, that is the purpose of the bill and the workings of it.

Mr. LOPRESTI. I did not hear the opening of the gentleman's statement. Did the gentleman say that the bill is now amended to apply only to eighth class counties?

Mr. DAVIS. That is correct—to eighth class counties; also it is a "may" bill.

Mr. LOPRESTI. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|-------------------|--------------------|---------------------|
| Anderson, | Galley, | McDonald, | Sakulsky, |
| Arlene, | Gallagher, | McInroy, | Scarcelli, |
| Ashton, | Garlock, | McLaughlin, | SchAAF, |
| Auker, | Gelfand, | Machmer, | Schuster, |
| Balthaser, | George, | Magee, | Seltzer, |
| Barton, | Gibb, | Mahan, | Sherman, |
| Bell, | Goldstein, J. H., | Markley, | Shupnik, |
| Blair, | Goldstein, M. H., | Maxwell, | Silverman, |
| Boles, | Goodrich, | Meholchick, | Snare, |
| Bonner, | Gramlich, | Merry, | Snider, |
| Boris, | Guthrie, | Mihm, | Stank, |
| Bower, | Hamilton, | Miller, B. Z., | Steckel, |
| Bowman, | Heffner, | Miller, H. G., | Stewart, |
| Branca, | Henzel, | Mills, | Stimmel, |
| Brenninger, | Hocker, | Muldowney, | Stone, |
| Buchanan, | Holliday, | Mullen, | Stoner, |
| Burns, | Holt, | Munley, | Stroup, |
| Capano, | Horst, | Murphy, A. J., Jr. | Sullivan, |
| Capitolo, | Irviss, | Murphy, P. J., | Taylor, |
| Cianfrani, | Isaacs, | Murray, H. P., | Thompson, |
| Cioffi, | Jenkins, | Murray, J. J., | Tompkins, |
| Clarke, | Jim, | Murray, P. G., | Trusio, |
| Comer, | Johnson, A. W., | Musto, | Ujobai, |
| Crossin, | Johnson, R., | Naugle, | Varallo, |
| Curwood, | Jones, F. R., | Needham, | Varner, |
| Davis, | Jump, | Nelson, | Verona, |
| Dennison, | Kamyk, | O'Dell, | Wall, |
| Devlin, | Kee, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kelser, | O'Donnell, J. P. | Wargo, |
| Donaldson, | Kernaghan, | O'Dorisio, | Weidner, |
| Dougherty, | Kessler, | Oglvie, | Welsh, |
| Down, | Knecht, | O'Neill, | Wescott, |
| Edwards, | Kooker, | Parlante, | Wheeler, |
| Ellberg, | Kornick, | Pashley, | Whittaker, |
| Eshback, | Korna, | Perry, H. H., | Williams, A.D., Jr. |
| Eshleman, | Kovolenko, | Perry, P. E., | Williams, E. S., |
| Ewing, | Kubitsky, | Petrosky, | Willard, |
| Farabaugh, | Lee, A. M., | Polaski, | Willaredt, |
| Fetterolf, | Lee, K. B., | Polen, | Wilt, |
| Filo, | Leonard, | Prendergast, | Wood, |
| Fineman, | Light, | Price, | Worley, |
| Floyd, | Limper, | Pursley, | Wynd, |
| Flynn, | Lippincott, | Reibman, | Yatron, |
| Foster, | Lopresti, | Renwick, | Yetter, |
| Fox, | Luigard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | |
| Frascella, | McCandless, | Rovansek, | |
| Fulmer, | McCann, | Royer, | Andrews, Speaker |

NAYS—1

Lamb,

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 667, entitled:

An Act amending the act of January 14 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein * * * further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty on order that they may obtain such training.

On the question,

Shall the bill pass finally?

Mr. GAILEY. Mr. Speaker, Members of the House, I rise to oppose this bill. I have two reasons for doing so, and it seems to me both of them make very good sense.

This bill, as I understand it, will enable municipalities to put so-called "auxiliary" policemen on active duty. In other words, these auxiliary policemen will have all the powers of regular police officers, including, I understand, the right to carry a gun.

Aside from our State Police and some of the organizations in the larger cities, I know that most municipalities have difficulty setting up a training program for the men on their force, but there is, I suggest to the Members of the House, a substantial difference between an auxiliary policeman just starting on duty and someone who is on the regular force, because the man who is on the regular force is a full-time officer. This is his business; this is his career.

I suggest to the Members of the House that not all, certainly, but a great many of these men who volunteer for services as auxiliary policemen do so solely for the reason that they like to put on the uniform and play God. It has been our unfortunate experience that many times when the man puts on this uniform he begins to see himself as an almighty one into whose hands is delivered all power to do all things. I suggest to you that by giving him the power of arrest, by giving him the power to carry a gun, by giving him all the powers of a regular police officer we are treading on very dangerous ground indeed.

The second reason I am opposed to this bill is this, ladies and gentlemen: it seems to me, in some communities, in some municipalities, where the governing body wishes to cut corners, it is a device that can be used to whittle away at a permanent, well-trained police force. If they can use these auxiliary policemen on regular duty at any time within the call of whatever officer within the given community has charge of the police force, I can foresee the day when a good many of our municipalities, instead of relying on a trained, well-equipped regular police force, will have only a skeleton force and will supplement it with these auxiliary policemen whose primary loyalty must not be to this particular job—this is kind of a hobby for them, a chance to go out and play cowboy, as it were—but to their regular jobs, and I suggest that this will not be to the best interests of our citizenry, nor also of our regular police force when this sort of legislation is passed. I think it is dangerous legislation. I think we ought to think more than twice before we vote "Aye"

on this bill. I think we ought to think three times and then vote "No."

Mrs. HENZEL. Mr. Speaker, I regret very much that my colleague from York has chosen to depreciate the efforts of the auxiliary police who have already given much of their time and talents to this responsibility. I think if we look into the work the auxiliary police have done in communities, we will discover that they certainly have no desire to enact a role which is not theirs. Theirs is merely a public service. I think that those who would not see fit to support a bill of this sort are showing that they are not well acquainted with particularly the problems of suburbia as we have it today, wherein the population is growing fast, wherein the tax program does not support the kind of program which is necessary to have a police force that would be available for all situations at all times.

I think there is no danger at all of these auxiliary policemen taking the place of the regular policemen because of the fact that they are only used in cases of emergency, in traffic situations, in crowded areas and at times when regular policemen certainly can be used other places to a much more effective degree.

Therefore, it would be my request to the Members of the House, rather than rejecting such a bill as this, that we enable the communities that can avail themselves of the services of these auxiliary policemen without further putting a tax burden upon the people by enacting this legislation for the safety of the constituents which they represent.

Mr. BELL. Mr. Speaker, I regret that the experiences of the gentleman from York, Mr. Gailey, with auxiliary policemen has been with the type that regard themselves as God, or regard themselves as cowboys. I think this is a reflection on his own community. In the county of Delaware our auxiliary policemen are well selected. They assist in times of emergency, times like Hallowe'en where you need help for our full-time police, and they are a credit to the community. I urge that the Members of this House vote for this bill.

Mr. WALSH. Mr. Speaker, I have some questions I would like to ask on this bill. I have a lot of regard for the auxiliary police. I am the head of Civilian Defense in my home town and I know that these auxiliary police have been counted upon on a lot of occasions to help out. But, there are some questions that I do not know the answers to, perhaps the gentleman from Delaware, Mr. Bell, can answer me, if he will permit himself to be interrogated.

The SPEAKER. Will the gentleman from Delaware, Mr. Bell, permit himself to be interrogated?

Mr. BELL. Mr. Speaker, I do not have a copy of the bill. I am not one of the sponsors, but if I can get a copy I will try to answer them.

Mr. WALSH. First, I would like to know what the difference between an auxiliary policeman and a special policeman is.

Mr. BELL. Mr. Speaker, I am not an expert on police but my own opinion would be one that would not be a legal opinion. I would assume a special policeman is a man who is sworn in for a special purpose or a special occasion. I would also assume, and again this is only my thinking, that an auxiliary policeman is a policeman who

has been established as an auxiliary to the regular police force.

Mr. WALSH. I can accept that explanation. But the Burgess or the Mayor at any time can swear in special policemen if the need is there.

Another question I would like to ask: When these men are called out on special assignments, they they insured if something would happen? Say a man is on the corner as a traffic policeman, if he were to be run down, is there any insurance there?

Mr. BELL. Mr. Speaker, I do not know of my own personal knowledge, but I understand there is.

Mr. WALSH. Well, I have been told by the State Director that the only time these auxiliary policemen, the same as auxiliary firemen, are covered by insurance is when there is a state of emergency declared by the Governor and they are called out by their respective head, like the city of McKeesport, the Police Chief. Then they are covered for that time only; only for that assignment. As far as Workmens' Compensation is concerned they would have to be on the payroll. Understand, I have no objections to auxiliary police, but I feel that we are going too far here and we are allowing these gentlemen to assume that they are protected when they are not.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—102

| | | | |
|-------------|-------------------|--------------------|------------------|
| Ashton, | Frank, | Lee, A. M., | Royer, |
| Balthaser, | Frascella, | Lee, K. B., | Seltzer, |
| Barton, | Fulmer, | Light, | Snare, |
| Bell, | Garlock, | Lippincott, | Stank, |
| Blair, | George, | Luigard, | Steckel, |
| Bonner, | Goldstein, J. H., | McCandless, | Stewart, |
| Boris, | Goldstein, M. H., | McCann, | Stimmel, |
| Bower, | Goodrich, | McInroy, | Stoner, |
| Bowman, | Gramlich, | Machmer, | Stroup, |
| Brenninger, | Guthrie, | Magee, | Thompson, |
| Buchanan, | Heffner, | Mahan, | Tompkins, |
| Cloffi, | Henzel, | Markley, | Ujobal, |
| Comer, | Hocker, | Merry, | Weidner, |
| Davis, | Holt, | Miller, B. Z., | Wescott, |
| Dennison, | Horst, | Murphy, A. J., Jr. | Wheeler, |
| Donahue, | Isaacs, | Murphy, P. J., | Whittaker, |
| Dougherty, | Johnson, A. W., | Murray, H. P., | Williams, E. S., |
| Down, | Johnson, R., | Murray, P. G., | Willard, |
| Edwards, | Jump, | Naugle, | Willaredt, |
| Ellberg, | Kee, | O'Dell, | Wood, |
| Eshback, | Kelser, | Odorisio, | Wynd, |
| Eshleman, | Kernaghan, | Ogilvie, | Yatron, |
| Ewing, | Kessler, | Petrosky, | Yetter, |
| Farabaugh, | Knecht, | Polen, | |
| Fetterolf, | Kooker, | Price, | Andrews, |
| Fox, | Korna, | Pursley, | Speaker |

NAYS—89

| | | | |
|------------|---------------|-------------------|----------------------|
| Anderson, | Hamilton, | Muldowney, | Scarcelli, |
| Arlene, | Holliday, | Mullen, | Schaaf, |
| Auker, | Irvie, | Munley, | Schuster, |
| Boles, | Jenkins, | Murray, J. J., | Sherman, |
| Branca, | Jim, | Musto, | Shupnik, |
| Burns, | Jones, F. R., | Needham, | Silverman, |
| Capano, | Kamyk, | Nelson, | Snider, |
| Capitolo, | Kornick, | O'Donnell, J. A., | Stone, |
| Cianfrani, | Kovolenko, | O'Donnell, J. P., | Sullivan, |
| Clarke, | Kubitsky, | O'Neill, | Taylor, |
| Crossin, | Lamb, | Parlante, | Trusio, |
| Curwood, | Leonard, | Pashley, | Varallo, |
| Devlin, | Limper, | Perry, H. H., | Varnar, |
| Donaldson, | Lopresti, | Perry, P. E., | Verona, |
| Filo, | Lutty, | Polaski, | Wall, |
| Fineman, | McDonald, | Prendergast, | Walsh, |
| Floyd, | McLaughlin, | Rebman, | Wargo, |
| Flynn, | Marwell, | Renwick, | Weish, |
| Foerster, | Meholchick, | Rigby, | Williams, A.D., Jr., |

Galley,
Gallagher,
Gelfand,
Gibb,

Mihm,
Miller, H. G.,
Mills,

Riley,
Rovansky,
Sakulsky,

Wilt,
Worley,
Zimmerman,

NOT VOTING—18

Agnew,
Breth,
Brown,
Cooper,
Dengler,

Dennis,
Heavey,
Helm,
Jones, T. H. W.,
McCormack,

McKeever,
Monroe,
Moran,
Reidenbach,

Rudisill,
Schwartz,
Stevens,
Strausser,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. LOPRESTI IN THE CHAIR.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, before we proceed with the concurrences I want to report that the matter presented by the Majority Leader this morning was presented to our caucus. They have agreed to go along on concurrences this afternoon, without the necessity of their being on the printed calendar tomorrow.

However, I would like to interrogate the Majority Leader in this fashion: if we go along today on concurrence I have been assured that the President of the Senate will sign the bills in the presence of the Senate, and will the bills be signed here today, or in the presence of the House, so that they can be transmitted forthwith to the Governor?

If you are going to leave the bills lie around in the Chief Clerk's office for three or four days there is no reason for any haste today, but if you want to get the bills on the Governor's desk today we will go along on those concurrences.

Mr. McCANN. Mr. Speaker, the entire sheet of concurrence bills that you have in your possession, if we can get them completed for the signature in both the Senate and the House today, they are to go pronto to the Governor's desk for signature.

The SPEAKER pro tempore. Without objection the Chair will lay the bills for concurrence before the House, in the order in which they appear on the Majority Leader's sheet. The Chair hears no objection.

For the information of the Majority and the Minority Leaders, House Bill 1157 will be the first bill.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, at this point, for the information of the Members they have the check sheet the same as I have. They probably could have an opportunity to check anything they want to, but we will make the motions to concur and move as lively as we can. I believe, Mr. Johnson, there are about 50 bills?

Mr. A. W. JOHNSON. Mr. Speaker, I want to say that when we arrived back from our caucus I received this sheet of the bills. I checked them with the bills that I took to caucus and they agree exactly. The sheet is exactly the way they were presented to our caucus. So, you may proceed with the bills according to this sheet.

Mr. McCANN. Thank you, Mr. Speaker, then we will go right down the check sheet and I believe there are 50 bills in a row.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1157.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is required.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1 by striking out all of line 4, and inserting in lieu thereof the following: "the construction of a sanitary trunk sewer;" Section 1, page 2, line 5, by striking out after the word "incurred" the words "in establishing" and inserting in lieu thereof the word "by;" line 6, by striking out after the word "of" the words "acquiring holding" and by striking out after the word "constructing" the following: "improving maintaining and operating a sewage disposal plant and system for disposing of sewage from the Indiana State Teachers' College" and inserting in lieu thereof the following: "A sanitary trunk sewer to carry the sewage from the western portion of the borough including the Indiana State Teachers' College to a point in White Township where it will connect with the main outfall sewer of the borough."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcell, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Silverman, |
| Blair, | Goldstein, M. H., | Markley, | Sherman, |
| Boles, | Goodrich, | Maxwell, | Shupnik, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Knecht, | Odorizio, | Weidner, |
| Down, | Kessler, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |

| | | | |
|-------------------|--------------------|----------------------|-----------------------------|
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|-----------------|-------------------------|--------------------|-------------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1747.

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numerals "five hundred thousand dollars (\$500,000)" and inserting in lieu thereof the words and numerals "four hundred thousand dollars (\$400,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------------|--------------------------|--------------------|-------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | McLachmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boies, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |

| | | | |
|--------------------|------------------------|---------------------------|-----------------------------|
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A.J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P. | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Oglvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|-----------------|-------------------------|--------------------|-------------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1749.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and figures "one million dollars (\$1,000,000)" and inserting in lieu thereof the words and figures "nine hundred thousand dollars (\$900,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1750.

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes

With the information that the Senate had passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numbers "two million one hundred sixty-eight thousand one hundred fifty-eight dollars (\$2,168,158), and inserting in lieu thereof the words and numbers "two million thirty-nine dollars (\$2,039,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1751.

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 5, by striking out after the word "of" the words and numerals "six hundred thousand eight hundred seventy-five dollars (\$600,875)" and inserting in lieu thereof the words and numerals "five hundred fifty thousand dollars (\$550,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murray, P. G., | Taylor, |
| Cioffi, | Jenkins, | Murphy, P. J., | Thompson, |
| Clarke, | Jim, | Murray, H. P., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, J. J., | Trusio, |
| Crossin, | Jones, F. R., | Musto, | Ujobai, |
| Curwood, | Johnson, R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Fox, | Lippincott, | Reibman, | Yatron, |
| Foerster, | Lulgard, | Renwick, | Yetter, |
| Frank, | Lopresti, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

Agnew,
Breth,
Brown,
Cooper,
Dengler,

Dennis,
Heavy,
Helm,
Jones, T. H. W.,
McCormack,

McKeever,
McInroe,
Moran,
Reidenbach,

Rudisill,
Schwartz,
Stevens,
Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1752.

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numerals "twenty-five thousand dollars (\$25,000)" and inserting in lieu thereof the words and numerals "thirty-five thousand dollars (\$35,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Boris, | Gramlich, | Meholchick, | Snare, |
| Bonner, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murray, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |

| | | | |
|------------|-------------|---------------|-----------------------|
| Dougherty, | Kessler, | Odorislo, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Korns, | Parlante, | Wheeler, |
| Eshback, | Kovolenko, | Pashley, | Whittaker, |
| Eshleman, | Kornick, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1755.

A Supplement to the act of April 1, 1963 (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 5, by striking out lines 9 and 10 as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction" and inserting in lieu thereof the following: "(9) For the use of the school of agriculture for expenditure by the agriculture experiment station for research and investigation of mastitis in dairy cattle the sum of fifty thousand dollars (\$50,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|------------|------------|-------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Brenninger, | Heffner, | Miller, B. Z., | Steckel, |
| Bowman, | Henzel, | Miller, H. G., | Stewart, |
| Branca, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvls, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P. | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Truslo, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wescott, |
| Dougherty, | Kessler, | Odorislo, | Wargo, |
| Down, | Knecht, | Ogilvie, | Weidner, |
| Edwards, | Kooker, | O'Neil, | Welsh, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Limper, | Price, | Worley, |
| Flynn, | Light, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1756.

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numerals "five million four hundred forty-eight thousand one hundred seventy-eight

dollars (\$5,448,178)" and inserting in lieu thereof, "five million three hundred eighteen thousand eight hundred forty-four dollars (\$5,318,844)";

Amend page 4, lines 6 and 7 by striking out "Section 5 Requisitions shall be prepared and signed by the superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorliso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Rebman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1757.

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numerals "six million three hundred five thousand thirteen dollars (\$6,305,013)" and inserting in lieu thereof the words and numerals "six million three hundred sixty-nine thousand six hundred eighty dollars (\$6,369,680)";

Amend Section 3, page 2, line 15, by striking out after the word "of" the words and numerals "one million ten thousand three hundred fifty dollars (\$1,010,350)" and inserting in lieu thereof the words and numerals "one million two hundred ten thousand three hundred fifty dollars (\$1,210,350)"; amend page 3 by striking out lines 5 and 6.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Bower, | Guthrie, | Merry, | Snider, |
| Bowman, | Hamilton, | Mihm, | Stank, |
| Boris, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorliso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Rebman, | Yatron, |

| | | | |
|---|--|--|--|
| Fox, Frank, Frascella, Fulmer, | Lopresti, Luigard, Lutty, McCandless, | Renwick, Rigby, Riley, Rovanse, | Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|--|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, Strausser, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1758.

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words "four million four hundred thirteen thousand five hundred nine dollars (\$4,413,509)" and inserting in lieu thereof the words: "four million four hundred seventy-eight thousand one hundred seventy-six dollars (\$4,478,176)"; page 3, line 13, by striking out Section 3, as follows: Section 3 Requisitions shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|--|--|---|---|
| Anderson, Arlene, Ashton, Auker, Baithaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Holt, Hors, Irviss, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr. | Royer, Sakulsky, Scarcelli, SchAAF, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, |
|--|--|---|---|

| | | | |
|---|---|---|--|
| Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanse, | Taylor, Thompson, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|---|--|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, Strausser, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1759.

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend page 2 by striking out lines 3 and 4, as follows: Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|---|---|---|--|
| Anderson, Arlene, Ashton, Auker, | Galley, Gallagher, Garlock, Gelfand, | McCann, McDonald, McInroy, McLaughlin, | Royer, Sakulsky, Scarcelli, SchAAF, |
|---|---|---|--|

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Hefner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Rebman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1760.

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend page 2 by striking out lines 2 and 3, as follows: Section 2 Requests shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Mahan, | Seltzer, |
| Beil, | Goldstein, J. H., | Magee, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Hefner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Rebman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1761.

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend page 2 by striking out lines 4 and 5, as follows:
Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelll, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvs, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovanseck, | Speaker |

NAYS—0

NOT VOTING—13

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1762.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend page 2 by striking out lines 3 and 4, as follows:
Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelll, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvs, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kubitsky, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kovolenko, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovanseck, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.
Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1763.

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk wil lread the Amendments. The Clerk read the amendments as follows:

Amend page 2 by striking out lines 3 and 4, as follows: "Sestion 2 Requisition shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|---|---|---|--|
| Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., | Royer, Sakulsky, Searcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobai, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., |
|---|---|---|--|

| | | | |
|---|--|--|---|
| Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanse, | Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|---|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.
Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1764.

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend page 2 by striking out lines 1 and 2 as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Jublic Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|---|---|---|---|
| Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr, Murphy, P. J., Murray, H. F., | Royer, Sakulsky, Searcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, |
|---|---|---|---|

| | | | |
|------------|-----------------|-------------------|-----------------------|
| Clarke | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING 18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1765.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend page 2, by striking out lines 1 and 2 as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|------------|------------|-------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cloffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kubitsky, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kovolenko, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1766.

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The Clerk read the amendments as follows:

Amend page 2, by striking out lines 3 and 4, as follows: Section 2 Requisition shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stroup, |
| Capano, | Horst, | Munley, | Sullivan, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Taylor, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Thompson, |
| Cioffi, | Jenkins, | Murray, H. P., | Tompkins, |
| Clarke, | Jim, | Murray, J. J., | Trusio, |
| Comer, | Johnson, A. W., | Murray, P. G., | Ujobai, |
| Crossin, | Johnson, R., | Musto, | Varallo, |
| Curwood, | Jones, F. R., | Naugle, | Varner, |
| Davis, | Jump, | Needham, | Verona, |
| Dennison, | Kamyk, | Nelson, | Wall, |
| Devlin, | Kee, | O'Dell, | Walsh, |
| Donahue, | Keiser, | O'Donnell, J. A., | Wargo, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Weidner, |
| Dougherty, | Kessler, | Odorisio, | Welsh, |
| Down, | Knecht, | Ogilvie, | Wescott, |
| Edwards, | Kooker, | O'Neil, | Wheeler, |
| Ellberg, | Kornick, | Parlante, | Whittaker, |
| Eshback, | Korna, | Pashley, | Williams, A. D., Jr., |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, E. S., |
| Ewing, | Kubitsky, | Perry, P. E., | Willard, |
| Farabaugh, | Lamb, | Petrosky, | Willardt, |
| Fetterolf, | Lee, A. M., | Polaski, | Wilt, |
| Filo, | Lee, K. B., | Polen, | Wood, |
| Fineman, | Leonard, | Prendergast, | Worley, |
| Floyd, | Light, | Price, | Wynd, |
| Flynn, | Limper, | Pursley, | Yatron, |
| Foerster, | Lippincott, | Reibman, | Yetter, |
| Fox, | Lopresti, | Renwick, | Zimmerman, |
| Frank, | Luigard, | Rigby, | Andrews, |
| Frascella, | Lutty, | Riley, | Speaker |
| Fulmer, | McCandless, | Rovansek, | |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1767.

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend bill, page 2, line 3, by striking out section 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korna, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willardt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1768.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend bill, page 2, lines 3 and 4, by striking out Section 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvins, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Lulgard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Brown, | Heavey, | Monroe, | Schwartz, |
| Breth, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1769.

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend page 2 by striking out lines 1 and 2 as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvins, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |

| | | | |
|---|--|--|---|
| Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanseck, | Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|---|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1770.

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend page 2, by striking out lines 3 and 4 as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|--|---|---|--|
| Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahana, Markley, Maxwell, Mehoichick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., | Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, |
|--|---|---|--|

| | | | |
|---|--|--|---|
| Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanseck, | Thompson, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|---|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate Accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1771.

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend page 2 by striking out lines 1 and 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|---|--|---|---|
| Anderson, Arlene, Ashton, Auker, Balthaser, | Galley, Gallagher, Garlock, Gelfand, George, | McCann, McDonald, McInroy, McLaughlin, Machmer, | Royer, Sakulsky, Scarcelli, Schaaf, Schuster, |
|---|--|---|---|

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | O'Dorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Lulgard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate Accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1772.

An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend page 2 by striking out lines 1 and 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcell, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | O'Dorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Elberg, | Kooker, | O'Neil, | Wescott, |
| Edwards, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Lulgard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate Accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1773.

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

With the information that the Senate had passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend bill, page 2, line 1, by striking out Section 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irlis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cloffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnar, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korna, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1774.

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend bill, page 2, line 1 and 2, by striking out Section 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irlis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cloffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnar, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korna, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1775.

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Page 2, by striking out lines 1 and 2 as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvlis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Truslo, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Verner, |
| Devlin, | Kamyk, | Nelson, | Verona, |
| Donahue, | Kee, | O'Dell, | Wall, |
| Dennison, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |

| | | | |
|------------|-------------|---------------|-----------------------|
| Eshleman, | Kovolenko, | Perry, P. E., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, H. H., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polasky, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1776.

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numerals "one million dollars (\$1,000,000)" and inserting in lieu thereof the words and numerals: "seven hundred fifty thousand dollars \$750,000."

Amend page 2 by striking out lines 2 and 3, as follows: "Section 2 Requisitions shall be prepared and signed by the Superintendent of Public Instruction."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|------------|-------------------|----------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |

| | | | |
|-------------|-----------------|--------------------|-----------------------|
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1777.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 1, by striking out after the word "of" the words and numbers: "eight hundred fifty thousand dollars (\$850,000)" and inserting in lieu thereof the words and numbers: "seven hundred twenty-five thousand dollars (\$725,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P. | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1778.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend page 3, by striking out lines 3 and 4, as follows: "Section 3 Requisitions shall be prepared and signed by the Secretary of Public Welfare."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boies, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. E., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1779.

An Act making an appropriation to The Glen Mills School in Delaware County, Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend page 2, by striking out lines 1 and 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Secretary of Public Welfare."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boies, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. E., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1780.

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County, Pennsylvania.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend page 2, by striking out lines 1 and 2, as follows: "Section 2 Requisitions shall be prepared and signed by the Secretary of Public Welfare".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|---|---|--|---|
| Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Clanfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korna, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odoristo, Ogilvie, O'Neil, Parlante, Pashley, | Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Vallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, |
|---|---|--|---|

| | | | |
|--|--|--|---|
| Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lulgard, Lutty, McCandless, | Perry, P. E., Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovansek, | Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|--|---|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2221.

An Act making an appropriation to the Department of Health for the diagnosis, treatment, and study of cerebral palsy at St. Christopher's Hospital.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out after the word "of" the words and numbers "one hundred twenty-five thousand dollars (\$125,000)" and inserting in lieu thereof the words and numbers "one hundred forty thousand dollars (\$140,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|--|---|---|--|
| Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korna, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, | Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, |
|--|---|---|--|

| | | | |
|--|--|---|--|
| Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Loprestl, Luigard, Lutty, McCandless, | Mullen, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Riley, Rovasek, Rigby, | Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|---|--|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2223.

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend Section 2, page 3, line 1, by striking out after the word 'of' the words "four hundred dollars (\$400)" and inserting in lieu thereof the following: "two hundred dollars (\$200)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|--|---|--|---|
| Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Loprestl, Luigard, Lutty, McCandless, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Maham, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr. Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovasek, | Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|--|---|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2226.

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend bill, page 2, line 4, by inserting Section 2, as follows: "Section 2 This act shall take effect immediately but the funds appropriated shall be spent only upon receipt by the Department of Insurance of two hundred thousand dollars (\$200,000) from nonprofit or other private organizations for the purposes of this act. If such money from nonprofit or other private organizations is not received by the Department of Insurance on or prior to April 1, 1960, the funds appropriated by section 1 of this act shall lapse on April 1, 1960".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odoriso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2305.

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend Section 1, page 2, line 5, by inserting after the word "State" the words "Forests and State"; line 5, by striking out after the word "parks" the numbers \$1,127,008 and inserting in lieu thereof the numbers "\$800,000", page 4, line 3, by striking out after the word "Run" the numbers 1, 836,015 and inserting in lieu thereof the numbers 1,603,340.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odoriso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |

| | | | |
|--|--|--|--|
| Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Pursley, Reibman, Renwick, Rigby, Riley, Rovanseck, | Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|--|--|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2307.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 18 by striking out the number "200,000" and inserting in lieu thereof, the number "150,000".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|---|--|---|--|
| Anderson, Arlene, Ashton, Auker, Baithaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke | Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, J. H., Goldstein, M. H., Gramlich, Goodrich, Guthrie, Hamilton, Heffner, Hocker, Holliday, Horst, Henzel, Holt, Iris, Isaacs, Jenkins, Jim, | Magee, Mahan, Markley, Maxwell, McCandless, McCann, McDonald, McLaughlin, McInroy, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., | Royer, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, |
|---|--|---|--|

| | | | |
|---|---|--|--|
| Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, Machmer, | Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglivie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanseck, | Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|--|--|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2309.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by striking out after the first word "the" the word "mose" and inserting in lieu thereof the word "most"; amend Section 1, page 2, line 7 by striking out after the word "Airport" the numbers "215,000" and inserting in lieu thereof the numbers "200,000."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvins, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odoriso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Wynd, |
| Flynn, | Limper, | Pursley, | Yatron, |
| Foerster, | Lippincott, | Reibman, | Yetter, |
| Fox, | Lopresti, | Renwick, | Zimmerman, |
| Frank, | Luigardi, | Rigby, | Andrews, |
| Frascella, | Lutty, | Riley, | Speaker |
| Fulmer, | McCandless, | Rovansek, | |

NAYS—1

Worley,

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2310.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 3, line 18, by adding after the word "lines" the words "enlargement of water line serving new girls' dormitory."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvins, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odoriso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigardi, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE
AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2325.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 3, by striking out after the word "Pittsburgh" the figures (\$3,000) and inserting in lieu thereof the figures \$5,000; line 4, by striking out after the word "Castle" the figures "9,100" and inserting in lieu thereof the figures "14,000;" line 8, by striking out after the word "Home" the figures "750" and inserting in lieu thereof "1,000;" line 10, by striking out after the letters "burg" the figures "1,800" and inserting in lieu thereof "3,200;" line 14 by striking out after the word "Easton" the figures "14,050" and inserting in lieu thereof the figures "15,000;" line 16, by striking out after the word "York" the figures "17,000" and inserting in lieu thereof the figures "14,900;" line 19, by striking out after the word "Hospital" the figures "1,000" and inserting in lieu thereof the figures "2,000;" page 3, line 1, by striking out after the word "Philadelphia" the figures "\$6,700" and inserting in lieu thereof the figures "4,590;" line 4, by striking out after the word "Scranton" the figures "12,000" and inserting in lieu thereof the figures "24,000;" line 8, by striking out after the word "Pittsburgh" the figures "38,000" and inserting in lieu thereof the figures "35,000;" line 12, by striking out after the word "Reading" the figures "7,500" and inserting in lieu thereof the figures "15,000;" line 15, by striking out after the word "Philadelphia" the figures "9,100" and inserting in lieu thereof the figures "8,600;" line 16, by striking out after the word "Philadelphia" the figures "34,580" and inserting in lieu thereof the figures "32,000;" line 17, by striking out after the word "valley" the figures "11,300" and inserting in lieu thereof the figures "10,000;" page 4, line 4, by striking out after the letters "delphia" the figures "37,500" and inserting in lieu thereof the figures "20,000;" line 7, by striking out after the word "Pittsburgh" the figures "8,720" and inserting in lieu thereof the figures "8,000;" line 8, by striking out after the word "Children" the figures "3,750" and inserting in lieu thereof the figures "7,500;" line 10, by striking out after the word "Erie" the figures "18,650" and inserting in lieu thereof the figures "15,000;" line 17, by striking out after the letters "burg" the figures "18,200" and inserting in lieu thereof the figures "18,000."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|------------|-------------------|-------------|------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Bialr, | Goldstein, M. H., | Markley, | Shupnik. |

| | | | |
|-------------|-----------------|--------------------|-----------------------|
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irlis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujbal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorislo, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Pulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavy, | Monroe, | Schwartz, |
| Brown, | Heim, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2229.

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "nursing" the words "and making a deficiency appropriation for the same purpose;" Section 1, page 2, line 7, by inserting after the word "nursing" the words "and for similar payments required because of a deficiency in the appropriation for the biennium commencing June 1, 1957."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Keiser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

An has appointed Messrs. KESSLER, FLEMING and WEINER a Committee of Conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. McCANN, POLEN and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2324.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 505, entitled:

An Act amending the act of August 24, 1951 (P. L. 1304), entitled "Local Health Administration Law," extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health.

And has appointed Messrs. Fleming, Pechan & Weiner and a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 505

The Speaker pro tempore. The Chair appoints as a Committee of Conference on the part of the House, Messrs. POLEN, McCANN and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 505

Mr. McCANN, Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 505.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1743.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

HOUSE BILL No. 1744.

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

HOUSE BILL No. 1745.

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

HOUSE BILL No. 1753.

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

HOUSE BILL No. 1754.

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

HOUSE BILL No. 1781.

An Act making an appropriation to the City of Harrisburg Pennsylvania.

HOUSE BILL No. 1782.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 1894.

An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest.

HOUSE BILL No. 1951.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

HOUSE BILL No. 2222.

An Act making an appropriation to the Department of Military Affairs for veterans assistance.

HOUSE BILL No. 2224.

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

HOUSE BILL No. 2227.

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

HOUSE BILL No. 2228.

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

HOUSE BILL No. 2303.

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60) including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

HOUSE BILL No. 2304.

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth * * * * *" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

HOUSE BILL No. 2306.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2308.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2311.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2312.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2313.

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1968.

An Act imposing a tax on real estate for public school purposes in school districts of the first class and first class A for current expenses.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

And has appointed Messrs. SHAFER, ELLIOTT and LANE and a Committee of Conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the difference between the two Houses in relation to said bill.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 12, 1959.

Resolved (if the Senate concur), that House Bill No. 2376, Printer's No. 1699, entitled "an act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled 'An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes' extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available," be recalled from the Governor for the purpose of amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1743.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

HOUSE BILL No. 1744.

An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government.

HOUSE BILL No. 1745.

An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth.

HOUSE BILL No. 1753.

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania.

HOUSE BILL No. 1754.

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (P. L. 1987) and making an appropriation" and for the repair improvements or additions of certain sewage treatment plants.

HOUSE BILL No. 1781.

An Act making an appropriation to the City of Harrisburg Pennsylvania.

HOUSE BILL No. 1782.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 1894.

An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest.

HOUSE BILL No. 1951.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

HOUSE BILL No. 2222.

An Act making an appropriation to the Department of Military Affairs for veterans assistance.

HOUSE BILL No. 2224.

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

HOUSE BILL No. 2227.

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

HOUSE BILL No. 2228.

An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded.

HOUSE BILL No. 2303.

An Act amending the "General Appropriation Act of 1957" approved July 19, 1957 (Appropriation Acts page 60), including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

HOUSE BILL No. 2304.

An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A), entitled "A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60), entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth * * * * *" including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions.

HOUSE BILL No. 2306.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2308.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2311.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2312.

An Act making appropriations to the Department of Property and Supplies for certain improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2313.

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways.

SENATE BILL No. 227.

An Act amending the act of July 12, 1919 (P. L. 941), entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution * * *" changing provisions relating to the contents of the Legislative Journal.

SENATE BILL No. 644.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing representation on the board of directors of union and merged school districts.

SENATE BILL No. 983.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing permanent certification for certain persons teaching in private institutions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION INTRODUCED AND REFERRED

By Mrs. VARALLO, Messrs. H. H. PERRY

and BOWER.

RESOLUTION (Not Printed)

In the House of Representatives, November 18, 1959.

On October 17, 1959 the Philadelphia County 4-H Clubs had their third annual achievement show. Forty-four clubs encompassing hundreds of children participated in the show. Their achievements of the past year were displayed and the highlight of the show was the awarding of the ribbons by the Honorable Mary A. Varallo, the Majority Whip of the House of Representatives.

The General Assembly is proud of the work of the 4-H Clubs; therefore be it

Resolved, That the House of Representatives congratulate the Philadelphia County 4-H Clubs on their successful show and the achievements they have made; and be it further

Resolved, That a copy of this resolution be forwarded to the Extension Home Economist, Eleanore G. Tompkins at the Division of Agricultural Extension, 220 S. 16th Street, Philadelphia 2, Pennsylvania.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 2218

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2218.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE
ON SENATE BILL No. 379

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 379.

The SPEAKER pro tempore. This being a Senate Bill, the report will lie over for printing by the Senate.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1443.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, line 2, by striking out the bracket at the beginning of the line before the word "if" and after the word "merger" the words "the same or"; line 3, by

striking out after the word "plans" the word "shall" and inserting in lieu thereof the word "may"; line 4, by striking out the bracket following the word "procedure."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcell, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willardt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Lulgard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2021.

An Act repealing clause (c.2) of section 9 act of June 24, 1937 (P. L. 2051), entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 3 by inserting after the word "to" the words "and allocated by."

Amend the bill by inserting after Section 2, line 8 the following: "Section 3 This Act shall take effect December 1, 1959."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcell, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varner, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Eilberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willardt, |

| | | | |
|---|---|---|---|
| Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Lulgard, Lutty, McCandless, | Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovaneck, | Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|---|---|

NAYS—0

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 810.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments nonconcurrent in by the Senate to Senate Bill No. 810.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1207

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1207.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1207, entitled: "An act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system, including provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' providing for payments on account of pupil transportation to certain additional school districts."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
JOSEPH D. RIPP,
THOMAS H. EHRGOOD,
(Committee on the part of the Senate.)

JOHN J. MURRAY,
JOHN R. GAILEY, JR.
(Committee on the part of the House of Representatives.)

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system in-

cluding certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of pupil transportation to certain additional school districts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 2541 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" amended February 17, 1956 (P. L. 1066) June 21 1957 (P. L. 385) and July 13, 1957 (P. L. 864) is amended to read:

Section 2541 Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the districts by the [district] district's subsidiary account reimbursement fraction. In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the approved cost at which the district acquired the vehicle for which depreciation is claimed. With respect to vehicles purchased prior to January 1, 1956 the number of depreciation payments shall be limited to ten such payments. With respect to vehicles purchased on or after January 1, 1956 the annual depreciation charge shall not exceed seven hundred dollars (\$700) for such vehicles. The number of annual depreciation charges shall be limited so that the total amount of such payments shall not exceed the cost of the vehicle as approved by the Department of Public Instruction at the time of the purchase. In no case shall the Commonwealth pay in depreciation charges more than ten thousand five hundred dollars (\$10,500) for any one vehicle.

Such payments for pupil transportation shall be made in the following cases:

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation [and] to merged or union school districts in which one or more [such] of the component districts [are a component] were heretofore eligible for reimbursement on account of transportation and to school districts which were eligible heretofore for reimbursement on account of transportation for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State teachers' college and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned.

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile [and] to merged or union school districts in which one or more [such] of the component districts [are a component] were heretofore eligible for reimbursement on account of transportation and to school districts which were eligible heretofore for reimbursement on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session and to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest jointly operated school in session offering the proper grades including pupils who are attending area technical schools.

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Public Instruction or enrolled in a regular class in which approved educational provisions are made for them.

(4) To all third and fourth class school districts for pupils transported to and from approved consolidated schools or approved joint consolidated schools or approved vocational district schools living one and one-half miles or more from the school of attendance.

Consolidated schools or joint consolidated schools or vocational district schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing therefor constitute approved consolidated schools or approved joint consolidated schools or approved vocational district schools.

[(5) To all school districts for pupils transported to and from schools used for the purpose of better gradation and approval by the county superintendent of schools.

(6) To all school districts for pupils transported to and from area technical schools]

(7) To all school districts for the transportation of nonresident children who are placed in the home of a resident or who are inmates of an orphan asylum or home or a children's home or other institution for the care and training of orphans or other children and who attend the public schools and who live two miles or more from the nearest school with the proper grades.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujober, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Elberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |

Fox,
Frank,
Frascella,
Fulmer,

Lopresti,
Luigard,
Lutty,
McCandless,

Renwick,
Rigby,
Riley,
Rovanssek,

Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—18

Agnew,
Breth,
Brown,
Cooper,
Dengler,

Dennis,
Heavy,
Helm,
Jones, T. H. W.,
McCormack,

Rudisill,
Schwartz,
Stevens,
Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the reports of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1861

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1861.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1861, entitled "An act amending the act of April 9, 1929 (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; * * *,' transferring the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees."

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER,
DOUGLAS H. ELLIOTT,
JOSEPH D. RIPP,
(Committee on the part of the Senate.)

H. J. MAXWELL,
EUGENE GELFAND,
MARIAN E. MARKLEY,
(Committee on the part of the House of Representatives.)

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be deter-

mined" transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 As much as applies to the Department of Public Welfare of section 202 act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" amended July 13, 1957 (P. L. 852) is amended to read:

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows:

* * *

In the Department of Public Welfare
State Council for the Blind
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of Pennsylvania Training School at Morgantown
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Clarks Summit State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Embreeville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Hollidaysburg State Hospital
Board of Trustees of Mayview State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Philadelphia State Hospital
Board of Trustees of Retreat State Hospital
Board of Trustees of Somerset State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Woodville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Dixmont State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Phillipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State School
State Board of Public Assistance
Board of Trustees of Hamburg State School and Hospital

* * *

Section 2 Section 401 of the act amended December 14, 1955 (P. L. 853) is amended to read:

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio.

The terms of each member of each such board shall be six years and until his successor is appointed and qualified.

The terms of the first three members of all boards the members of which now serve for terms of four years appointed by the Governor on or after the third Tuesday of January 1959 shall expire on the third Tuesday of January 1961. The terms of the next three members appointed shall expire on the third Tuesday of January 1963. The terms of the next three members appointed shall expire on the third Tuesday of January 1965. Their successors and all members of all boards appointed to succeed members who have served six year terms shall be appointed for terms of six years from the date of the expiration of the preceding term. Vacancies happening be-

fore the expiration of a term shall be filled for the unexpired term.

Five members of any such board shall constitute a quorum.

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board. The secretary and treasurer may be the same person.

This section shall apply to:

Board of Trustees of Thaddeus Stevens Trade School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Scotland School for Veterans' Children
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney State Teachers' College
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of the Pennsylvania Training School for Girls
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School at Morgantown
Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
Board of Trustees of Allentown State Hospital
Board of Trustees of Clarks Summit State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Embreeville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Hollidaysburg State Hospital
Board of Trustees of Mayview State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Philadelphia State Hospital
Board of Trustees of Retreat State Hospital
Board of Trustees of Somerset State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Woodville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Dixmont State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Phillipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State School
Board of Trustees of Hamburg State School and Hospital

Section 3 The operation control and management of the land and improvements thereon and the equipment furnishings fixtures and personal property within any buildings or incidental thereto of the Charles H. Miner

State Hospital at Hamburg are hereby transferred from the Department of Health to the Department of Public Welfare where it shall be maintained as a State mental institution and known as the Hamburg State School and Hospital.

The Department of Public Welfare shall manage and control the same and have such powers and duties with respect thereto as are now provided by law for other State schools and hospitals in its department.

Until a physical transfer of the Charles H. Miner State Hospital is effected from the Department of Health to the Department of Public Welfare all moneys expended for the operation and maintenance of said hospital shall be chargeable to the appropriation for operation and maintenance of hospitals of the Department of Health.

Section 4 There is hereby created as an advisory board in the Department of Public Welfare a board of trustees to be known as the Board of Trustees of the Hamburg State School and Hospital. The board of trustees shall consist of nine members and the Secretary of Public Welfare ex officio. The members of the board shall be appointed by the Governor. The terms of the first three members of the board appointed shall be for a term of two years the terms of the next three members of the board appointed shall be for a term of four years and the terms of the next three members appointed shall be for a term of six years. Their successors and all members appointed to succeed members who have served six year terms shall be appointed for terms of six years from the date of the expiration of the preceding term and shall serve until their successors are appointed and qualified. Vacancies happening before the expiration of a term shall be for the unexpired term.

The board hereby created shall have all the powers and be subject to all the duties imposed on advisory boards of State mental institutions by the act of April 9, 1929 (P. L. 177) known as "The Administrative Code of 1929" to which this act is an amendment.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. HORST. Mr. Speaker, I rise to make a few remarks concerning this Conference Report.

House Bill 1861, the Conference Committee has decided to rip out the Pennhurst Annex from the bill, which will put 415 children's beds at Hamburg, leaving 585 new beds to take care of the children for whom we need so many more rooms, and there are so many more children to be taken care of in the mentally retarded and physically handicapped program of Pennsylvania.

By leaving these children at Mont Alto or Samuel G. Dixon, known as Pennhurst Annex, there is plenty of room to take care of all the TB patients from Hamburg which bill 1861 provides for.

I am pointing out that we are interested in saving money of this Commonwealth; we are also interested in seeing that the mentally retarded and the physically handicapped children are being taken care of.

If the Conference Committee report is adopted, it will mean that we will be defeating the purpose of taking care of these children.

I shall appreciate the support of each of you folks in this House in voting against transferring the children from Samuel Dixon to Hamburg.

Mr. McCANN. Mr. Speaker, the Conference Committee report on House Bill 1861, Printer's No. 1988, places the bill in the position in which it left the House following that long debate about those children and the TB patients.

As you will notice, the bill carries an item in there about the transfer of these particular institutions from one department to another. This bill must pass. This bill

must go to the Governor to be signed. We are in a most peculiar position, in that we cannot even pay the few people who are left operating the Hamburg Hospital. I think you will remember the debate in this House regarding the children's program.

I know the situation of the gentleman from Franklin, Mr. Horst, and certainly I can sympathize and understand his situation. But, Mr. Speaker, I ask for an affirmative vote to support this Conference Committee report, which was signed by all three Members of the House and the Senate.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—136

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McLaughlin, | Rovansek, |
| Arlene, | Gallagher, | Machmer, | Royer, |
| Balthaser, | Garlock, | Markley, | Sakulsky, |
| Blair, | Gelfand, | Maxwell, | Scarcelli, |
| Boles, | Goldstein, J. H., | Meholchick, | Schaaf, |
| Bonner, | Goldstein, M. H., | Mihm, | Schuster, |
| Bowman, | Guthrie, | Mills, | Sherman, |
| Branca, | Hamilton, | Muldowney, | Shupnik, |
| Buchanan, | Heffner, | Mullen, | Silverman, |
| Burns, | Hocker, | Munley, | Snider, |
| Capano, | Holt, | Murphy, A. J., Jr., | Stank, |
| Capitolo, | Iris, | Murphy, P. J., | Steckel, |
| Cianfrani, | Jenkins, | Murray, J. J., | Stimmel, |
| Cioffi, | Jim, | Murray, P. G., | Stone, |
| Clarke, | Johnson, A. W., | Musto, | Stoner, |
| Comer, | Jones, F. R., | Naugle, | Sullivan, |
| Crossin, | Kamyk, | Needham, | Taylor, |
| Curwood, | Kelser, | Nelson, | Thompson, |
| Davis, | Kernaghan, | O'Donnell, J. A., | Trusio, |
| Devlin, | Knecht, | O'Donnell, J. P., | Varallo, |
| Donaldson, | Kornick, | Odorisio, | Varnier, |
| Dougherty, | Korns, | O'Neill, | Verona, |
| Edwards, | Kovolenko, | Parlante, | Wall, |
| Ellberg, | Lamb, | Pashley, | Walsh, |
| Eshleman, | Lee, K. B., | Perry, H. H., | Wargo, |
| Ewing, | Leonard, | Perry, P. E., | Weldner, |
| Farabaugh, | Light, | Petrosky, | Welsh, |
| Filo, | Limper, | Polaski, | Wescott, |
| Fineman, | Lippincott, | Polen, | Wheeler, |
| Floyd, | Lopresti, | Prendergast, | Williams, A. D., Jr., |
| Flynn, | Luigard, | Reibman, | Wynd, |
| Foerster, | Lutty, | Renwick, | Yatron, |
| Frank, | McCann, | Rigby, | Yetter, |
| Frascella, | McDonald, | Riley, | Andrews, |

Speaker

NAYS—55

| | | | |
|-------------|--------------|----------------|------------------|
| Ashton, | George, | Lee, A. M., | Snare, |
| Auker, | Gibb, | McCandless, | Stewart, |
| Barton, | Goodrich, | McInroy, | Stroup, |
| Bell, | Gramlich, | Magee, | Tompkins, |
| Boris, | Henzel, | Mahan, | Ujobai, |
| Bower, | Holliday, | Merry, | Whittaker, |
| Brenninger, | Horst, | Miller, B. Z., | Williams, E. S., |
| Dennison, | Isaacs, | Miller, H. G., | Willard, |
| Donahue, | Johnson, R., | Murray, H. P., | Willaredt, |
| Down, | Jump, | O'Dell, | Wilt, |
| Eshback, | Kee, | Ogilvie, | Wood, |
| Fetterolf, | Kessler, | Price, | Worley, |
| Fox, | Kooker, | Pursley, | Zimmerman, |
| Fulmer, | Kubitsky, | Seltzer, | |

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. McCANN. Mr. Speaker, is the Senate waiting for 1861's Conference Report notice, that we have passed it? Will a message be sent over to them as soon as possible so they may adopt it.

The SPEAKER. It is being processed but just what position in the assembly line it is in at the present time, the Chair would not know. It is being transmitted as expeditiously as possible. It is on its way.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 351, entitled:

An Act amending the "State Highway Law" of June 1, 1945 (P. L. 1242) providing for payment by the Commonwealth of damages occasioned by a change of width lines or grades of streets designated as State highways in cities of the second class A and third class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irvia, | Murphy, A. J., Jr. | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobai, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P. | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | |
| Flynn, | Limper, | Pursley, | |

Foerster,
Fox,
Frank,
Frascella,
Fulmer,

Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,
Rovanseck,

Reibman,
Renwick,
Rigby,
Riley,
Rovanseck,

Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—18

Agnew,
Breth,
Brown,
Cooper,
Dengler,

Dennis,
Heavey,
Helm,
Jones, T. H. W.,
McCormack,

McKeever,
Monroe,
Moran,
Reidenbach,

Rudisill,
Schwartz,
Stevens,
Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 592, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursement for transportation of pupils.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—122

Anderson,
Arlene,
Bell,
Boles,
Bonner,
Bower,
Branca,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Crossin,
Curwood,
Dennison,
Devlin,
Dougherty,
Edwards,
Ellberg,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,
Frascella,

Galley,
Gallagher,
Garlock,
Gelfand,
Goodrich,
Hamilton,
Holt,
Irvia,
Isaacs,
Jenkins,
Jim,
Jones, F. R.,
Jump,
Kamyk,
Kessler,
Kornick,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, K. B.,
Leonard,
Limper,
Lopresti,
Luigard,
Lutty,
McCandless,
McCann,
McDonald,
McLaughlin,
Machmer,

Mahan,
Maxwell,
Meholchick,
Merry,
Mihm,
Mills,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.
Murray, J. J.,
Musto,
Needham,
Nelson,
O'Donnell, J. A.,
O'Donnell, J. P.,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Riley,
Rovanseck,

Sakulsky,
Scarcelli,
Schaaf,
Schuster,
Sherman,
Shupnik,
Silverman,
Snider,
Stank,
Stewart,
Stone,
Stroup,
Sullivan,
Taylor,
Trusio,
Varallo,
Verona,
Wall,
Walsh,
Wargo,
Welsh,
Wheeler,
Williams, E. S.,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—56

Ashton,
Auker,
Barton,
Bowman,
Brenninger,
Davis,
Donahue,
Donaldson,
Down,
Eshback,
Ewing,
Fetterolf,
Fulmer,
George,

Gibb,
Gramlich,
Heffner,
Henzel,
Hocker,
Holliday,
Horst,
Johnson, A. W.,
Johnson, R.,
Kee,
Kelser,
Kernaghan,
Kooker,
Lee, A. M.,

Lippincott,
McInroy,
Magee,
Markley,
Miller, B. Z.,
Miller, H. G.,
Murphy, P. J.,
Murray, H. P.,
Murray, P. G.,
Naugle,
O'Dell,
Ogilvie,
Rigby,
Seltzer,

Snare,
Steckel,
Stimmel,
Thompson,
Tompkins,
Ujobai,
Weidner,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Willard,
Willaredt,
Wilt,
Wood,

NOT VOTING—31

Agnew,
Balthaser,
Blair,
Boris,
Breth,
Brown,
Cooper,
Dengler,
Dennis,
Eshleman,
Goldstein, J. H.,
Goldstein, M. H.,
Guthrie,
Heavey,
Helm,
Jones, T. H. W.,
Knecht,
Light,
McCormack,
McKeever,
Monroe,
Moran,
Odorisio,
Reidenbach,

Royer,
Rudisill,
Schwartz,
Stevens,
Stoner,
Strausser,
Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for investments of the permanent State School Fund.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donaldson, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

Agnew,
Breth,
Brown,
Cooper,
Dengler,
Dennis,
Heavey,
Helm,
Jones, T. H. W.,
McCormack,
McKeever,
Monroe,
Moran,
Reidenbach,
Rudisill,
Schwartz,
Stevens,
Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council of the Boy Scouts of America.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | McCann, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Mahan, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snare, |
| Boris, | Guthrie, | Merry, | Snider, |
| Bower, | Hamilton, | Mihm, | Stank, |
| Bowman, | Heffner, | Miller, B. Z., | Steckel, |
| Branca, | Henzel, | Miller, H. G., | Stewart, |
| Brenninger, | Hocker, | Mills, | Stimmel, |
| Buchanan, | Holliday, | Muldowney, | Stone, |
| Burns, | Holt, | Mullen, | Stoner, |
| Capano, | Horst, | Munley, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Needham, | Varnier, |
| Dennison, | Kamyk, | Nelson, | Verona, |
| Devlin, | Kee, | O'Dell, | Wall, |
| Donahue, | Kelser, | O'Donnell, J. A., | Walsh, |
| Donaldson, | Kernaghan, | O'Donnell, J. P., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Kornick, | Parlante, | Wheeler, |
| Eshback, | Korns, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polaski, | Willaredt, |
| Filo, | Lee, K. B., | Polen, | Wilt, |
| Fineman, | Leonard, | Prendergast, | Wood, |
| Floyd, | Light, | Price, | Worley, |
| Flynn, | Limper, | Pursley, | Wynd, |
| Foerster, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—18

Agnew,
Breth,
Brown,
Cooper,
Dengler,

Dennis,
Heavey,
Helm,
Jones, T. H. W.,
McCormack,

McKeever,
Monroe,
Moran,
Reidenbach,

Rudisill,
Schwartz,
Stevens,
Strausser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2048, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; * * *," defining "receipts," to exclude certain wholesale dealers in tobacco and tobacco products and making such definitions retroactive.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 2096, entitled:

An Act relating to water well drillers * * * providing for the revocation of suspension of licenses and prescribing unlawful acts and penalties.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

Mr. McCANN from the Committee on Rules, reported as committed House Resolution No. 132.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2048 entitled:

An Act amending the act of May 23, 1949 (P. L. 169), entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; * * *," defining "receipts," to exclude certain wholesome dealers in tobacco and tobacco products and making such definitions retroactive.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1968.

An Act imposing a tax on real estate for public school purposes in school districts of the first class and first class A for current expenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 446, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GARLOCK. Mr. Speaker, as I recall, we have been asked to pass prior legislation giving the city of Philadelphia authority to tax buses coming into Philadelphia. Now we are being asked to vote on a series of bills giving buses a reduction in license fees and refunds of gasoline tax. This I would refer to as a give away to a select group.

I feel that the Highway Departments needs all the money we can possibly get for them. We voted for operators' license increases. We have voted for gasoline tax increases. Now we are asked to turn around and give them away. I think this is ridiculous legislation. I think the people who are using this mass transportation should be willing to foot the bills. I do not feel that we should be asked to subsidize transportation for any city or any community. I would ask that all the Members on both sides of the aisle vote no on this legislation.

Mr. CIOFFI. Mr. Speaker, I rise in favor of Senate Bill 446, Printer's No. 1509.

This bill, I am sure, will help many communities throughout the state of Pennsylvania. I am quite familiar

with my community which for six months was without any transportation and since that time the transportation system was compelled to sell out, and the city of New Castle had to buy the transportation system and even today is unable to carry on in a profitable manner. So, I know what it is to be without any transportation in a community.

I would hope that this particular bill passes because I am aware that many communities throughout the Commonwealth are affected in the same manner. I am sorry to say that I will have to differ with my colleague and I hope that Members on both sides of the aisle will favor this particular bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Frascella, | McCann, | Royer, |
| Arlene, | Galley, | McDonald, | Sakulsky, |
| Ashton, | Gallagher, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | George, | Machmer, | Schuster, |
| Barton, | Gibb, | Magee, | Seltzer, |
| Bell, | Goldstein, J. H., | Markley, | Sherman, |
| Blair, | Goldstein, M. H., | Maxwell, | Shupnik, |
| Boles, | Goodrich, | Meholchick, | Silverman, |
| Bonner, | Gramlich, | Merry, | Snider, |
| Boris, | Guthrie, | Mihm, | Stank, |
| Bower, | Hamilton, | Miller, B. Z., | Steckel, |
| Bowman, | Heffner, | Miller, H. G., | Stewart, |
| Branca, | Henzel, | Mills, | Stimmel, |
| Brenninger, | Hocker, | Muldowney, | Stone, |
| Buchanan, | Holt, | Mullen, | Stoner, |
| Burns, | Horst, | Murphy, A. J., Jr., | Stroup, |
| Capano, | Irviss, | Murphy, P. J., | Sullivan, |
| Capitolo, | Isaacs, | Murray, H. P., | Taylor, |
| Cianfrani, | Jenkins, | Murray, J. J., | Thompson, |
| Cioffi, | Jim, | Murray, P. G., | Tompkins, |
| Clarke, | Johnson, A. W., | Musto, | Trusio, |
| Comer, | Johnson, R., | Naugle, | Ujobal, |
| Crossin, | Jones, F. R., | Nelson, | Varallo, |
| Curwood, | Jump, | O'Dell, | Varner, |
| Davis, | Kamyk, | O'Donnell, J. A., | Verona, |
| Dennison, | Kee, | O'Donnell, J. P., | Walsh, |
| Devlin, | Kelser, | Odorisio, | Weidner, |
| Donahue, | Kernaghan, | Ogilvie, | Welsh, |
| Donaldson, | Kessler, | O'Neil, | Wescott, |
| Dougherty, | Knecht, | Parlante, | Wheeler, |
| Down, | Kooker, | Pashley, | Whittaker, |
| Edwards, | Kornick, | Perry, P. E., | Williams, A. D., Jr., |
| Eilberg, | Korns, | Petrosky, | Williams, E. S., |
| Eshleman, | Kovolenko, | Polaski, | Willard, |
| Ewing, | Kubitsky, | Polen, | Willaredt, |
| Farabaugh, | Lamb, | Prendergast, | Wilt, |
| Fetterolf, | Lee, A. M., | Price, | Wood, |
| Filo, | Leonard, | Pursley, | Worley, |
| Fineman, | Light, | Reibman, | Wynd, |
| Floyd, | Limper, | Renwick, | Yatron, |
| Flynn, | Lippincott, | Rigby, | Yetter, |
| Foerster, | Lopresti, | Riley, | Andrews, |
| Fox, | Lulgard, | Rovansek, | Speaker |
| Frank, | Lutty, | | |

NAYS—14

| | | | |
|-----------|-------------|---------------|------------|
| Eshback, | Lee, K. B., | Needham, | Wall, |
| Fulmer, | McCandless, | Perry, H. H., | Wargo, |
| Garlock, | Mahan, | Snare, | Zimmerman, |
| Holliday, | Munley, | | |

NOT VOTING—18

| | | | |
|----------|------------------|-------------|------------|
| Agnew, | Dennis, | McKeever, | Rudisill, |
| Breth, | Heavey, | Monroe, | Schwartz, |
| Brown, | Helm, | Moran, | Stevens, |
| Cooper, | Jones, T. H. W., | Reidenbach, | Strausser, |
| Dengler, | McCormack, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1931 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax owners or operators of certain vehicles.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GARLOCK. Mr. Speaker, I would like to interrogate the gentleman from Lawrence, Mr. Cioffi.

The SPEAKER. If the gentleman from Lawrence will permit himself to be interrogated the gentleman from Fulton may proceed.

Mr. GARLOCK. Mr. Speaker, can the gentleman tell me the amount of money involved in 447, Printer's No. 1508?

Mr. CIOFFI. I am sorry, Mr. Speaker, I do not know the answer to that.

Mr. GARLOCK. I thank the gentleman. The same remarks I made on House Bill 446 I would ask to have applied to 447.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Anderson, | Frascella, | Lutty, | Rovansek, |
| Arlene, | Galley, | McCann, | Royer, |
| Ashton, | Gallagher, | McDonald, | Sakulsky, |
| Auker, | Gelfand, | McInroy, | Scarcelli, |
| Balthaser, | George, | McLaughlin, | Schuster, |
| Barton, | Gibb, | Machmer, | Seltzer, |
| Bell, | Goldstein, J. H., | Magee, | Sherman, |
| Blair, | Goldstein, M. H., | Markley, | Shupnik, |
| Boles, | Goodrich, | Maxwell, | Silverman, |
| Bonner, | Gramlich, | Meholchick, | Snider, |
| Boris, | Guthrie, | Merry, | Stank, |
| Bower, | Hamilton, | Mihm, | Steckel, |
| Bowman, | Heffner, | Miller, B. Z., | Stewart, |
| Branca, | Henzel, | Miller, H. G., | Stimmel, |
| Brenninger, | Hocker, | Mills, | Stone, |
| Burns, | Holt, | Muldowney, | Stoner, |
| Capano, | Horst, | Mullen, | Stroup, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Sullivan, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, H. P., | Thompson, |
| Clarke, | Jim, | Murray, J. J., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, P. G., | Trusio, |
| Crossin, | Johnson, R., | Musto, | Ujobal, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jump, | Nelson, | Varner, |
| Dennison, | Kamyk, | O'Dell, | Verona, |
| Devlin, | Kee, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kelser, | O'Donnell, J. P., | Weidner, |
| Donaldson, | Kernaghan, | Odorisio, | Welsh, |
| Dougherty, | Kessler, | Ogilvie, | Wescott, |
| Down, | Knecht, | O'Neil, | Wheeler, |
| Edwards, | Kooker, | Parlante, | Whittaker, |
| Eilberg, | Kornick, | Pashley, | Williams, A. D., Jr., |
| Eshleman, | Korns, | Perry, P. E., | Williams, E. S., |
| Ewing, | Kovolenko, | Petrosky, | Willard, |
| Farabaugh, | Kubitsky, | Polaski, | Willaredt, |
| Fetterolf, | Lamb, | Polen, | Wilt, |
| Filo, | Lee, A. M., | Prendergast, | Wood, |
| Fineman, | Leonard, | Price, | Worley, |
| | Light, | Pursley, | Wynd, |

| | | | |
|---|---|--|--|
| Floyd, Flynn, Foerster, Fox, Frank, | Limper, Lippincott, Lopresti, Luigard, | Reibman, Renwick, Rigby, Riley, | Yatron, Yetter, Andrews, Speaker |
|---|---|--|--|

NAYS—15

| | | | |
|--|---|--|-------------------------------|
| Eshback, Fulmer, Garlock, Holliday, | Lee, K. B., McCandless, Mahan, Munley, | Needham, Perry, H. H., Schaaf, Snare, | Wall, Wargo, Zimmerman, |
|--|---|--|-------------------------------|

NOT VOTING—18

| | | | |
|---|---|---|--|
| Agnew, Breth, Brown, Cooper, Dengler, | Dennis, Heavey, Helm, Jones, T. H. W., McCormack, | McKeever, Monroe, Moran, Reidenbach, | Rudisill, Schwartz, Stevens, Strausser, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

| | | | |
|--|---|---|--|
| Anderson, Arlene, Boles, Bonner, Bowman, Branca, Burns, Capano, Capitolo, Cianfrani, Cioffi, Comer, Crossin, Curwood, Davis, Dennison, Devlin, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshleman, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, | Frank, Frascella, Galley, Gallagher, Gelfand, George, Gibb, Hamilton, Hocker, Holt, Jenkins, Jim, Johnson, A. W., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kornick, Kovolenko, Kubitsky, Lee, A. M., Leonard, Limper, Lopresti, McCann, McDonald, McLaughlin, Magee, Markley, | Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Nelson, O'Donnell, J. A., O'Donnell, J. P., Oglvie, O'Neil, Parlante, Pashley, Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Renwick, Riley, | Rovansek, Sakulsky, Scarcelll, Schaaf, Schuster, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Sullivan, Taylor, Thompson, Trusto, Ujobal, Varallo, Verona, Weidner, Welsh, Wheeler, Whittaker, Willaredt, Wilt, Wood, Yetter, Andrews, Speaker |
|--|---|---|--|

NAYS—54

| | | | |
|---|--|---|---|
| Ashton, Auker, Barton, Bell, Bower, | Goodrich, Gramlich, Guthrie, Henzel, Holliday, | Lee, K. B., Lippincott, Lutty, McCandless, McInroy, | Seltzer, Snare, Stroup, Tompkins, Wall, |
|---|--|---|---|

| | | | |
|--|---|---|---|
| Brenninger, Buchanan, Clarke, Donahue, Eshback, Ewing, Fetterolf, Fulmer, Garlock, | Horst, Irvls, Isaacs, Johnson, R., Kernaghan, Kessler, Kooker, Korns, Lamb, | Mahan, Merry, Munley, Needham, O'Dell, Perry, H. H., Pursley, Rigby, | Walsh, Wargo, Wescott, Williams, A. D., Jr., Willard, Worley, Wynd, Zimmerman, |
|--|---|---|---|

NOT VOTING—35

| | | | |
|--|---|--|---|
| Agnew, Balthaser, Blair, Boris, Breth, Brown, Cooper, Dengler, Dennis, | Goldstein, J. H., Goldstein, M. H., Heavey, Heffner, Helm, Jones, T. H. W., Knecht, Light, Luigard, | McCormack, McKeever, Machmer, Monroe, Moran, Odorisio, Reibman, Reidenbach, Royer, | Rudisill, Schwartz, Stevens, Stoner, Strausser, Varner, Williams, E. S., Yatron, |
|--|---|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

The SPEAKER. The Chair requests the gentleman from Cameron, Mr. Tompkins, to preside.

Mr. TOMPKINS IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

| | | | |
|--|--|---|--|
| Anderson, Arlene, Bell, Boles, Bonner, Branca, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Devlin, Donahue, Donaldson, Dougherty, Down, Eilberg, | Foerster, Frank, Frascella, Fulmer, Galley, Gallagher, Gelfand, Goodrich, Hamilton, Holt, Irvls, Isaacs, Jenkins, Jim, Jones, F. R., Jump, Kamyk, Kee, Kernaghan, Kessler, Kooker, Kornick, Kovolenko, | McCann, McDonald, McLaughlin, Machmer, Maxwell, Meholchick, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Neil, | Prendergast, Renwick, Riley, Rovansek, Sakulsky, Scarcelll, Schaaf, Schuster, Sherman, Shupnik, Silverman, Snider, Stank, Stewart, Stone, Stroup, Sullivan, Taylor, Trusto, Varallo, Verona, Wargo, |
|--|--|---|--|

| | | | |
|------------|-------------|---------------|-----------------------|
| Eshback, | Kubitsky, | Parlante, | Welsh, |
| Ewing, | Lamb, | Pashley, | Wheeler, |
| Farabaugh, | Lee, A. M., | Perry, H. H., | Williams, A. D., Jr., |
| Filo, | Leonard, | Perry, P. E., | Yatron, |
| Fineman, | Limper, | Petrosky, | Yetter, |
| Floyd, | Lopresti, | Polaski, | Zimmerman, |
| Flynn, | Lutty, | Polen, | Andrews, |
| | | | Speaker |

NAYS—53

| | | | |
|-------------|--------------|----------------|------------|
| Ashton, | Guthrie, | Mahan, | Tompkins, |
| Auker, | Henzel, | Markley, | Ujobai, |
| Barton, | Hocker, | Merry, | Varner, |
| Bower, | Holliday, | Miller, H. G., | Wall, |
| Bowman, | Horst, | Murray, P. G., | Weidner, |
| Brenninger, | Johnson, R., | Naugle, | Wescott, |
| Edwards, | Keiser, | Ogilvie, | Whittaker, |
| Eshleman, | Korns, | Price, | Willard, |
| Fetterolf, | Lee, K. B., | Pursley, | Willardt, |
| Fox, | Lippincott, | Reibman, | Wilt, |
| Garlock, | McCandless, | Rigby, | Wood, |
| George, | McInroy, | Seltzer, | Worley, |
| Gibb, | Magee, | Thompson, | Wynd, |
| Gramlich, | | | |

NOT VOTING—36

| | | | |
|------------|-------------------|-------------|------------------|
| Agnew, | Dennison, | Light, | Rudisill, |
| Balthaser, | Goldstein, J. H., | Luigard, | Schwartz, |
| Blair, | Goldstein, M. H., | McCormack, | Steckel, |
| Boris, | Heavey, | McKeever, | Stevens, |
| Breth, | Heffner, | Monroe, | Stimmel, |
| Brown, | Helm, | Moran, | Stoner, |
| Cooper, | Johnson, A. W., | Odorisio, | Strausser, |
| Dengler, | Jones, T. H. W., | Reidenbach, | Walsh, |
| Dennis, | Knecht, | Royer, | Williams, E. S., |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RIGBY. Mr. Speaker, I would like to interrogate either the Chairman of the Appropriations Committee or the Majority Leader.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, consent to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, does the gentleman know how many judges there are in the County Court of Allegheny County?

Mr. POLEN. I think there are six in the County Court of Allegheny and one in Juvenile Court.

Mr. RIGBY. Mr. Speaker, there are seven. Thank you, Mr. Polen.

We are asking this House to pass this bill to raise the salaries of a court of limited jurisdiction, putting them on the same basis as a court with unlimited jurisdiction, which I believe is unrealistic. Certainly it is only going to be the beginning of a rash of bills to increase the judges' salaries all over this entire state.

In Allegheny County we have just gone through perhaps one of the most damaging strikes in the history of our county. These men, for the most part, are men with large families. They were striking, I believe, to get an additional ten cents an hour. Now with a roll call in this House we are about to give six men and one woman as much in a raise as these men will make through the whole of an entire year's salary.

It costs a steel worker just as much to live as it does a judge. It is my understanding that there is no money in the budget to pay this increase anyway. I certainly think we are not doing the right thing for the taxpayers of this state if we continue to go through a rash of increases in wages when there is no money to pay them.

For the record I would like to introduce a copy of an editorial that appeared in the Pittsburgh Post Gazette and also a letter to the editor that appeared in the Pittsburgh Press telling of one citizen's experience in our county court. You believe me it was not a very pleasant experience.

Editorial Pittsburgh Post-Gazette:

Why raise judges now.

A new bill to boost the annual pay of seven Allegheny County judges by several thousand dollars seems to us to have been offered without much forethought.

Sponsored by Republican Senators Robert D. Fleming and Democratic Senator Joseph D. Ripp the measure would increase the salaries of the Juvenile Court judge and the six county court judges from the present eighteen thousand (eighteen thousand five hundred in the case of the president judge) to twenty-two thousand five hundred.

This generous pay raise would put county court members on the same salary level as members of the Common pleas bench. But why erase the distinction question mark. It is true that the county court and the juvenile court have responsibilities comparable to those of the common pleas court in the handling of domestic relation matters, but the county court is a tribunal of limited jurisdiction. A maximum of two thousand five hundred dollars in civil claims cases, whereas the common pleas court is one of general jurisdiction.

If the salary boost came as a part of a plan to consolidate the common pleas and county courts into one tribunal of general jurisdiction it would be a logical proposal. But the General Assembly has given little sign of approving such consolidation as provided for in legislation introduced earlier this year. The bill was offered by Pittsburgh Representative Martin Mihm to implement recommendations of Common Pleas Judge Henry Ellenbogen under which the courts of this county would be merged into a single tribunal with different divisions to handle various kinds of judicial business, such as domestic relations and small claims cases.

County court judges have indicated approval of the merger idea but most common pleas judges have opposed it. From an administrative stand-

point, consolidation makes sense and is in keeping with the national trend in court reorganization. But unless the common pleas judges are ready to support the change and the legislature is prepared to authorize it, we see no reason why. We see no reason to abolish the pay differential while it exists, it could serve as a lever to bring about reorganization.

Editor, The Pittsburgh Press:

We had a very disheartening experience in Allegheny County Court the other day. The case involved a small collection, attorney for the claimant. The claimant and his associate were in court at 9:30 a. m. The defendant was also present. We lost several hours time and then were ordered to return at 1:30 p. m., since our case could not be handled in the morning.

In addition there were upwards of 100 other people in court. All had been ordered by the court to be present to have their cases tried by a County judge. Only two judges were available. As a result only two or three cases were handled in the one day. We were turned away, and in addition almost everyone else.

Something is terribly wrong with our County Court when 100 people have to appear in court and only a few are heard. Why could not the number of cases planned for be cut down to the number that the two judges can handle? Conversely, why aren't there more judges available to handle so many cases? Justice can't be served under such conditions.

People shy away from trying to get justice, will let "Dead Beats" get away without having to face court. Everyone should know that "Professional Dead Beats" know about the chaos in County Court. These people deliberately "use" the courts to help them avoid payment for just claims.

SAMUEL REUBENE.

West View.

I think we are making a very serious mistake if we pass this bill today. I hope that it will not pass.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, would the gentleman consent to the same roll call that was had on the previous bill?

Mr. RIGBY. Mr. Speaker, I am sorry, I would like to agree with the Majority Leader, but I cannot. I would like a slow roll call. I understand there are going to be some changes, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. RIGBY, GIBB and WORLEY. The roll was verified and was as follows:

YEAS—98

| | | | |
|------------|---------------|--------------------|------------|
| Anderson, | Frank, | McDonald, | Renwick, |
| Arlene, | Frascella, | McLaughlin, | Riley, |
| Boles, | Fulmer, | Maxwell, | Rovansek, |
| Bonner, | Gailey, | Meholchick, | Sakulsky, |
| Branca, | Gallagher, | Mihm, | Scarcell, |
| Buchanan, | Garlock, | Miller, B. Z., | Schaaf, |
| Burns, | Gelfand, | Mills, | Schuster, |
| Capano, | Hamilton, | Muldowney, | Shupnik, |
| Capitolo, | Holt, | Mullen, | Silverman, |
| Cianfrani, | Irvins, | Munley, | Snider, |
| Cioffi, | Jenkins, | Murphy, A. J., Jr. | Stank, |
| Clarke, | Jim, | Murray, J. J., | Stewart, |
| Comer, | Jones, F. R., | Musto, | Stone, |
| Crossin, | Jump, | Needham, | Sullivan, |

| | | | |
|------------|-------------|-------------------|----------|
| Curwood, | Kee, | Nelson, | Taylor, |
| Davis, | Kornick, | O'Donnell, J. A., | Trusio, |
| Dennison, | Kovolenko, | O'Donnell, J. P. | Varallo, |
| Donahue, | Kubitsky, | O'Neil, | Verona, |
| Donaldson, | Lamb, | Parlante, | Wargo, |
| Ellberg, | Lee, A. M., | Pashley, | Weish, |
| Ewing, | Leonard, | Perry, H. H., | Wheeler, |
| Filo, | Limper, | Perry, P. E., | Yetter, |
| Floyd, | Lopresti, | Polaski, | Andrews, |
| Flynn, | Lutty, | Polen, | Speaker |
| Foerster, | McCann, | Prendergast, | |

NAYS—69

| | | | |
|-------------|-----------------|----------------|-----------------------|
| Ashton, | Gramlich, | McCandless, | Snare, |
| Barton, | Guthrie, | McInroy, | Stroup, |
| Bell, | Henzel, | Magee, | Thompson, |
| Bower, | Hocker, | Mahan, | Tompkins, |
| Bowman, | Holliday, | Merry, | Ujobai, |
| Branninger, | Horst, | Miller, H. G., | Wall, |
| Devlin, | Isaacs, | Murphy, P. J., | Weidner, |
| Dougherty, | Johnson, A. W., | Murray, H. P., | Wescott, |
| Down, | Johnson, R., | Murray, P. G., | Whittaker, |
| Edwards, | Kamyk, | Naugle, | Williams, A. D., Jr., |
| Eshback, | Keiser, | O'Dell, | Willard, |
| Eshleman, | Kernaghan, | Oglvie, | Willaredt, |
| Farabaugh, | Kessler, | Petrosky, | Wilt, |
| Fetterolf, | Kooker, | Price, | Wood, |
| Fox, | Korns, | Pursley, | Worley, |
| George, | Lee, K. B., | Rigby, | Wynd, |
| Gibb, | Lippincott, | Seitzer, | Zimmerman, |
| Goodrich, | | | |

NOT VOTING—42

| | | | |
|------------|-------------------|-------------|------------------|
| Agnew, | Goldstein, J. H., | Machmer, | Sherman, |
| Auker, | Goldstein, M. H., | Markley, | Steckel, |
| Balthaser, | Heavey, | Monroe, | Stevens, |
| Blair, | Heffner, | Moran, | Stimmel, |
| Boris, | Helm, | Odorislo, | Stoner, |
| Breth, | Jones, T. H. W., | Reibman, | Strausser, |
| Brown, | Knecht, | Reidenbach, | Varner, |
| Cooper, | Light, | Royer, | Walsh, |
| Dengler, | Luigard, | Rudisill, | Williams, E. S., |
| Dennis, | McCormack, | Schwartz, | Yatron, |
| Fineman, | McKeever, | | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. McCANN. Mr. Speaker, there is only one other bill that we will amend today. I am asking every Democrat Member on this side of the House, please do not leave Harrisburg. Be here tomorrow when we are in Session.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2), page 5, line 5, by striking out "the time allowed for filing motions and reasons for new trial" and inserting: "one year from the date of the verdict, or at any time if such a request is made by an agency of the Commonwealth, or at any time if in the discretion of the court such request should be granted."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

The remaining bills on today's calendar not considered were passed over at the request of Mr. McCANN.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1157.

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer.

HOUSE BILL No. 1747.

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

HOUSE BILL No. 1749.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

HOUSE BILL No. 1750.

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

HOUSE BILL No. 1751.

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

HOUSE BILL No. 1752.

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

HOUSE BILL No. 1755.

A Supplement to the Act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

HOUSE BILL No. 1756.

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the general maintenance and operation of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

HOUSE BILL No. 1757.

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

HOUSE BILL No. 1758.

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

HOUSE BILL No. 1759.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

HOUSE BILL No. 1760.

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania.

HOUSE BILL No. 1761.

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania.

HOUSE BILL No. 1762.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

HOUSE BILL No. 1763.

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia Pennsylvania.

HOUSE BILL No. 1764.

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia Pennsylvania.

HOUSE BILL No. 1765.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia Pennsylvania.

HOUSE BILL No. 1766.

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

HOUSE BILL No. 1767.

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania.

HOUSE BILL No. 1768.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

HOUSE BILL No. 1769.

An Act making an appropriation to the National Agricultural College at Doylestown Pennsylvania.

HOUSE BILL No. 1770.

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment.

HOUSE BILL No. 1771.

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

HOUSE BILL No. 1772.

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

HOUSE BILL No. 1773.

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

HOUSE BILL No. 1774.

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania.

HOUSE BILL No. 1775.

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

HOUSE BILL No. 1776.

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

HOUSE BILL No. 1777.

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

HOUSE BILL No. 1778.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

HOUSE BILL No. 1779.

An Act making an appropriation to The Glen Mills School in Delaware County Pennsylvania.

HOUSE BILL No. 1780.

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

HOUSE BILL No. 2221.

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

HOUSE BILL No. 2223.

An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans.

HOUSE BILL No. 2226.

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

HOUSE BILL No. 2229.

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

HOUSE BILL No. 2305.

An Act making appropriations to the Department of Forest and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2307.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2309.

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2310.

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE BILL No. 2325.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, is that the entire list of bills now that were to be signed? Were we able to deliver 1968, do we have any action on it to deliver it over there?

The SPEAKER pro tempore. The Chair has been informed that the Senate has adjourned for the day and that it is impossible to transmit them.

Mr. McCANN. Mr. Speaker, I requested Mr. Johnson to call so that someone could receive the bills. I suppose the only thing I can do now, of course, is tomorrow to have it taken over and it will get on the Governor's desk, but that will not be until late afternoon.

Mr. A. W. JOHNSON. Mr. Speaker, I called over to the Senate and I could not get any answer on any of the telephones, pursuant to your request.

Mr. McCANN. Mr. Speaker, that completes the business for today then.

The SPEAKER pro tempore. We have just been informed by the Chief Clerk, in contact with the Secretary of the Senate, that the Senate adjourned at 7:00 o'clock until tomorrow.

ADJOURNMENT

Mr. H. G. MILLER. Mr. Speaker, I move that this House do now adjourn until Thursday, November 19, 1959 at 1:00 p.m. EST.

The motion was agreed to, and (at 8:15 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., THURSDAY, NOVEMBER 19, 1959.

No. 114.

SENATE

THURSDAY, NOVEMBER 19, 1959

The Senate met at 3:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. MELVIN WALPER, Pastor of Zion's Reformed Church, Ashland, offered the following prayer:

Almighty God, our Heavenly Father, Thou Who art the giver of every good and perfect gift, grant us in this Assembly the precious gift of Thy Holy Spirit so that, ruled and guided by Thee, we may do those things that are well pleasing in Thy sight.

We bring the prayers of this Senate to Thee on behalf of the President of the United States, the Governor of this Commonwealth and all others in authority in this and all lands. Make them to know the things which belong to Thy peace, that men everywhere may beat their swords into plow shares and their spears into pruning hooks, with nation no longer lifting up sword against nation and men learning war no more. Number us, we pray Thee, among the peacemakers, that we may have the reward promised by Jesus; the reward that we be counted among the blessed of earth and that the peacemakers shall inherit the earth.

May all the praise, all the honor and all the glory be Thine, now and forever. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1157

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1157, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of ex-

penses and charges in connection with capital improvements to the Indiana State Teachers' College.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1443

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1443, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1747

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1747, entitled:

An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business, industry and commerce in the respective counties of the Commonwealth.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1749

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1749, entitled:

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1750

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1750, entitled:

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1751

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1751, entitled:

An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1752

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1752 entitled:

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1755

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1755, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1756

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1756, entitled:

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University, for the School of Medicine, for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1757

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1757, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University, for the School of Medicine and for the School of Veterinary Medicine.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1758

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1758, entitled:

An Act making appropriations to the Trustees of Temple University, at Philadelphia, Pennsylvania, for the general maintenance and operation of the University and for the School of Medicine.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1759

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 1759, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1760

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1760, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1761

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1761, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1762

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1762, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1763

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1763, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathy, Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1764

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1764, entitled:

An Act making an appropriation to the Philadelphia Textile Institute of Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1765

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1765, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1766

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1766, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1767

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1767, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1768

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1768, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1769

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1769, entitled:

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1770

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1770, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1771

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1771, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1772

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1772, entitled:

An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1773

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1773, entitled:

An Act making an appropriation to the Pennsylvania Museum School of Art, Philadelphia.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1774

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1774, entitled:

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1775

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1775, entitled:

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus, supplies and equipment.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1776

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1776, entitled:

An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1777

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1777, entitled:

An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1778

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1778, entitled:

An Act making an appropriation to the Elwyn Training School of Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1779

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1779, entitled:

An Act making an appropriation to The Glen Mills School in Delaware County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 1780

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1780, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, in Delaware County, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2021

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2021, entitled:

An Act repealing clause (c.2) of section 9 of the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2221

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2221, entitled:

An Act making an appropriation to the Department of Health for the diagnosis, treatment and study of cerebral palsy at St. Christopher's Hospital.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2223

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2223, entitled:

An Act making an appropriation to the Department of Military affairs for the education of Veterans' orphans.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2226

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2226, entitled:

An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2229

He also presented communication from the House of Representatives informing the Senate that the House has

concurred in amendments made by the Senate to House Bill No. 2229, entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2305

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2305, entitled:

An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2307

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2307, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2309

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2309, entitled:

An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2310

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2310, entitled:

An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

HOUSE CONCURS IN AMENDMENTS TO
HOUSE BILL No. 2325

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2325, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes.

HOUSE INSISTS UPON ITS AMENDMENTS
NON-CONCURRED IN BY THE SENATE TO
SENATE BILL No. 810

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," further providing for the lending of money by banks and bank and trust companies.

SENATE INSISTS UPON ITS NON-CONCURRENCE IN
THE AMENDMENTS MADE BY THE HOUSE TO
SENATE BILL No. 810

Mr. BERGER. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments made by the House to Senate Bill No. 810, and that a Committee of Conference on the part of the Senate be appointed.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 1207

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 1207, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments on account of pupil transportation to certain additional school districts.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 1861

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 1861, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

The PRESIDENT. This Report of Committee of Conference will appear on tomorrow's Calendar.

SENATE BILL No. 107 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 107, entitled:

An Act amending the act of April 24, 1947 (P. L. 80), entitled "Intestate Act of 1947," providing for the grandchildren of deceased uncles and aunts of the decedent.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 453 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 453, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and Judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of judges of the Municipal Court of Philadelphia.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 1220 RETURNED WITH
AMENDMENTS.

He also returned to the Senate, Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor, to sell and convey 7,715 square feet of land situate in East Allen Township, Northampton County.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 446

He also returned to the Senate, Senate Bill No. 446, entitled:

An Act amending the act of May 1, 1929 (P. L. 905) entitled "The Vehicle Code," exempting motor vehicles operated by certain persons subject to the Public Utility Commission and certain Municipality Authorities from fees for certificates of title or registration.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 447

He also returned to the Senate, Senate Bill No. 447, entitled:

An Act amending the act of June 22, 1951 (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," exempting from the tax the owners or operators of certain vehicles.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 449

He also returned to the Senate, Senate Bill No. 449, entitled:

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing under certain circumstances for the refund of taxes paid on fuels used in vehicles operated by certain persons subject to the Public Utility Commission and by certain Municipality Authorities and providing for deductions from the amount of moneys paid to counties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 940

He also returned to the Senate, Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land for the use of certain state teachers colleges, and making appropriations," increasing the appropriation for one tract.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1106

He also returned to the Senate, Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," changing the limit on retail licenses.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 351, entitled:

An Act amending the "State Highway Law" of June 1, 1945 (P. L. 1242), providing for payment by the Commonwealth of damages occasioned by a change of width, lines or grades of streets designated as State highways in cities of the second class A and third class.

Which was committed to the Committee on Rules.

House Bill No. 592, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating reimbursement for transportation of pupils.

Which was committed to the Committee on Rules.

House Bill No. 2145, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), changing requirements for investments of the permanent State School Fund.

Which was committed to the Committee on Rules.

House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County, to the Juniata Valley Council of the Boy Scouts of America.

Which was committed to the Committee on Rules.

House Bill No. 2442, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the swearing to and affirming of certain information charging summary offenses, and the filing of such informations with courts having jurisdiction thereof.

Which was committed to the Committee on Rules.

House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

Which was committed to the Committee on Rules.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 184,
Senate Bill No. 428,
Senate Bill No. 446,
Senate Bill No. 447,
Senate Bill No. 449,
Senate Bill No. 471,
Senate Bill No. 472,
Senate Bill No. 473,
Senate Bill No. 1093,
House Bill No. 1157,
Senate Bill No. 1180,
Senate Bill No. 1223,
House Bill No. 1743,
House Bill No. 1744,
House Bill No. 1745,
House Bill No. 1747,
House Bill No. 1749,
House Bill No. 1750,
House Bill No. 1751,
House Bill No. 1752,
House Bill No. 1753,
House Bill No. 1754,
House Bill No. 1755,
House Bill No. 1756,
House Bill No. 1757,
House Bill No. 1758,
House Bill No. 1759,
House Bill No. 1760,
House Bill No. 1761,
House Bill No. 1762,
House Bill No. 1763,
House Bill No. 1764,
House Bill No. 1765,
House Bill No. 1766,
House Bill No. 1767,
House Bill No. 1768,
House Bill No. 1769,
House Bill No. 1770,
House Bill No. 1771,
House Bill No. 1772,
House Bill No. 1773,
House Bill No. 1774,
House Bill No. 1775,
House Bill No. 1776,

House Bill No. 1777,
 House Bill No. 1778,
 House Bill No. 1779,
 House Bill No. 1780,
 House Bill No. 1781,
 House Bill No. 1782,
 House Bill No. 1894,
 House Bill No. 1951,
 House Bill No. 1968,
 House Bill No. 2221,
 House Bill No. 2222,
 House Bill No. 2223,
 House Bill No. 2224,
 House Bill No. 2226,
 House Bill No. 2227,
 House Bill No. 2228,
 House Bill No. 2229,
 House Bill No. 2303,
 House Bill No. 2304,
 House Bill No. 2305,
 House Bill No. 2306,
 House Bill No. 2307,
 House Bill No. 2308,
 House Bill No. 2309,
 House Bill No. 2310,
 House Bill No. 2311,
 House Bill No. 2312,
 House Bill No. 2313, and
 House Bill No. 2325.

REPORTS FROM COMMITTEES

Mr. KOPRIVER, JR., on behalf of Mr. FLACK, from the Committee on Mines and Mineral Industries, reported as committed, House Bill No. 1734, entitled:

An Act creating an Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity in the use of funds appropriated by the act of July 7, 1955 (P. L. 258) entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation."

Mr. SHAFER, from the Committee on Judiciary General, reported as committed, House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 864

Mr. WAGNER. Mr. President, I submit the report of the Committee of Conference on Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

The PRESIDENT. The report will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. KESSLER, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," increasing the compensation of the county board of school directors for attendance at meetings.

He also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 413, entitled:

An Act providing for group life insurance for State employes; establishing a schedule providing for payment and providing for reduction of insurance upon retirement.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the drive-ways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 725, entitled:

An Act providing for the creation and operation of the Juvenile Court Judges' Commission prescribing its powers and duties and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 976, entitled:

An Act providing for the lapsing of fifty per centum of certain unexpended appropriations and appropriating the remaining fifty per centum to the state teachers' college which has such unexpended funds.

He also, from the Committee on Appropriations, reported as amended, House Bill No. 1954, entitled:

An Act lapsing a balance of an appropriation made from the Motor License Fund to the Department of Highways in the act of September 3, 1955 (Appropriation Act No. 18-A).

Mr. RUTH, from the Committee on Rules, reported as committed, House Bill No. 652, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

He also, from the Committee on Rules, reported as committed, House Bill No. 1172, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

He also, from the Committee on Rules, reported as committed, Senate Bill No. 1251, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

He also, from the Committee on Rules, reported as amended, House Bill No. 1608, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

He also, from the Committee on Rules, reported as committed, House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300), entitled as amended, "An act providing for compliance with Federal law and the approval of certain institutions; . . ." abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

He also, from the Committee on Rules, reported as committed, House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption by abolishing the advisory committee on adoption standards.

He also, from the Committee on Rules, reported as committed, House Bill No. 1612, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating the necessity of approval by the State Board of Public Assistance of certain standards, rules and regulations.

He also, from the Committee on Rules, reported as committed, House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943, (P. L. 847) entitled as amended "An act creating a revolving fund in State Treasury to be used by the State Council for the Blind, to purchase, install, maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise, . . ."; transferring functions from the State Council for the Blind, to the Department of Public Welfare.

He also, from the Committee on Rules, reported as amended, House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims providing for appeals to the Supreme Court prescribing powers and duties of the Board providing for salaries of the members thereof the procedure to be followed providing that the Commonwealth consents to be sued upon contract claims and making an appropriation.

He also, from the Committee on Rules, reported as committed, House Bill No. 2291, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the sale of starter pistols to minors.

He also, from the Committee on Rules, reported as committed, House Bill No. 2362, entitled:

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), making technical changes and clarifying language.

He also, from the Committee on Rules, reported as committed, House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and for the collection of such assessments, claims, and liens.

He also, from the Committee on Rules, reported as committed, House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381), entitled "An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties," further regulating the height of fences around premises used for raising mink.

He also, from the Committee on Rules, reported as committed, House Bill No. 2425, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), providing for the purchase of credit for service in summer schools prior to membership in the retirement system, changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

He also, from the Committee on Rules, reported as amended, House Bill No. 2431, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

SENATE CONCURRENT RESOLUTION, SERIAL No. 75, REPORTED FROM COMMITTEE

Mr. BERGER, from the Committee on Rules, to which was referred resolution offered by Messrs. STEVENSON, WHALLEY, WALKER and WAGNER, on October 14, 1959, reported the same without amendment as follows:

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY ALTERNATIVE MEASURES OF THE LOCAL ABILITY TO FINANCE PUBLIC EDUCATION

In the Senate, October 14, 1959.

Whereas, The equitable distribution of public school costs between state and local governments and among differently circumstanced direct and indirect beneficiaries of public education is of vital concern to the General Assembly; and

Whereas, The portion of public school costs borne by the state government of the Commonwealth has increased continuously over the past few decades and is now significantly above the portion borne by all state governments combined, and by the state governments of surrounding states; and

Whereas, The need for a comprehensive reexamination of the ability of local school districts to finance public education and of the ways to reliably measure that ability is imperative; therefore be it

Resolved, That the Joint State Government Commission be directed to study alternative measures of the local ability to finance public education and evaluate the effects consequent upon the use of alternative measures upon the division of public school costs between the state government and school districts and among different groups of taxpayers.

Laid over for one day under the Rules.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the

Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

John L. Dorris, 41 West Broad Street, Nanticoke, Luzerne County.

DAVID L. LAWRENCE.

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

Thomas B. Noonan, Park Crest, Mahanoy City, Schuylkill County.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE VETERANS' COMMISSION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Veterans' Commission, until the third Tuesday of January 1963, and until their successors shall have been appointed and qualified:

William T. Malone, Commander, Department of Pennsylvania, The American Legion, 305 Connell Building, Scranton, Lackawanna County, vice Paul E. Walters, Pine Grove, resigned.

John J. Piparato, Commander, Department of Pennsylvania, Veterans of Foreign Wars, R. D. 1, Bethlehem, Northampton County, vice John C. Cavender, Hop Bottom, resigned.

Vance E. Beachley, Commander, Department of Pennsylvania, American Veterans of World War II, R. D. 1, Linglestown, Dauphin County, vice Maurice W. Baruth, Pittsburgh, resigned.

Anton M. Miller, Commander, Department of Pennsylvania Disabled American Veterans, 418 Garfield Square, Pottsville, Schuylkill County, vice Sterling L. Morelock, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT BOARD OF REVIEW

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Giles, Reading, Berks County, for appointment as a member of the Unemployment Compensation Board of Review, from December 23, 1957, until July 1, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank McLaughlin, 2618 Mercantile Street, McKeesport, Allegheny County, for reappointment as a member of the Unemployment Compensation Board of Review, until July 1, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the State Board of Chiropractic Examiners:

John G. Mountz, 761 Locust Street, Columbia, Lancaster County, until July 15, 1961, and until his successor is appointed and qualified.

Jack J. Stokes, 7803 Frankford Avenue, Philadelphia, Philadelphia County, until July 15, 1962, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

November 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

P. L. Prattis, 1311 Grotto Street, Pittsburgh, Allegheny County.

Alvin R. Guyler, United States Veterans Administration, 107 Sixth Street, Pittsburgh, Allegheny County.

Mrs. Mary Jane Myers, Trinity Cathedral, 323 Oliver Street, Pittsburgh, Allegheny County.

DAVID L. LAWRENCE.

COMMITTEE OF CONFERENCE APPOINTED ON SENATE BILL No. 810

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WADE PROPERT and RUTH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to Senate Bill No. 810.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED AND REFERRED

Messrs. EHRGOOD, PROPERT and WADE read in place and presented to the Chair Senate Bill No. 1256, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," including school districts of the first class and first class A within the provisions of the act.

Which was committed to the Committee on Rules.

They also read in place and presented to the Chair Senate Bill No. 1257, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the election and filling vacancies in the office of school director in districts of the first class and first class A; prescribing powers and duties of the boards of public education in such districts; and changing administrative procedures and provisions relating to budgets, taxation, debt limitation and fiscal affairs.

Which was committed to the Committee on Rules.

Messrs. MULLIN, SEYLER, WEINER and HAYS read in place and presented to the Chair Senate Bill No. 1258, entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," further regulating residence qualifications of electors.

Which was committed to the Committee on Rules.

Messrs. MULLIN, SEYLER and WEINER read in place and presented to the Chair Senate Bill No. 1259, entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act," further regulating residence qualifications of electors.

Which was committed to the Committee on Rules.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 1260, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," further prescribing the powers and duties of township supervisors.

Which was committed to the Committee on Rules.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

John L. Dorris, 41 West Board Street, Nantcoke, Luzerne County.

DAVID L. LAWRENCE.

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

Thomas B. Noonan, Park Crest, Mahanoy City, Schuylkill County.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE VETERANS' COMMISSION

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Veterans' Commission, until the third Tuesday of January 1963, and until their successors shall have been appointed and qualified:

William T. Malone, Commander, Department of Pennsylvania, The American Legion, 305 Connell Building, Scranton, Lackawanna County, vice Paul E. Walters, Pine Grove, resigned.

John J. Piparato, Commander, Department of Pennsylvania, Veterans of Foreign Wars, R. D. 1, Bethlehem, Northampton County, vice John C. Cavender, Hop Bottom, resigned.

Vance E. Beachley, Commander, Department of Pennsylvania, American Veterans of World War II, R. D. 1, Linglestown, Dauphin County, Maurice W. Baruth, Pittsburgh, resigned.

Anton M. Miller, Commander, Department of Pennsylvania, Disabled American Veterans, 418 Garfield Square, Pottsville, Schuylkill County, vice Sterling L. Morelock, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John S. Giles, Reading, Berks County, for appointment as a member of the Unemployment Compensation Board of Review, from December 23, 1957, until July 1, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE UNEMPLOYMENT COMPENSATION BOARD OF REVIEW

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank McLaughlin, 2618 Mercantile Street, McKessport, Allegheny County, for reappointment as a member of the Unemployment Compensation Board of Review, until July 1, 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE BOARD OF CHIROPRACTIC EXAMINERS

April 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the State Board of Chiropractic Examiners:

John G. Mountz, 761 Locust Street, Columbia, Lancaster County, until July 15, 1961, and until his successor is appointed and qualified.

Jack J. Stokes, 7803 Frankford Avenue, Philadelphia, Philadelphia County, until July 15, 1962, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF
PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

November 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

P. L. Prattis, 1311 Grotto Street, Pittsburgh, Allegheny County.

Alvin R. Guyler, United States Veterans Administration, 107 Sixth Street, Pittsburgh, Allegheny County.

Mrs. Mary Jane Myers, Trinity Cathedral, 323 Oliver Street, Pittsburgh, Allegheny County.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

REPORTS OF COMMITTEES OF CONFERENCE ON
HOUSE BILLS Nos. 1078, 1080, 1081, 1082, 1083,
1084, 1099, 1512, 1513 1514, 1515, 1516, AND 1881

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1078, entitled:

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216), providing for biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1080, entitled:

An Act amending the "Professional Engineers Registration Law," approved May 23, 1945 (P. L. 913), providing for the biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1081, entitled:

An Act amending the "Architects Registration Law," approved July 12, 1919 (P. L. 933), providing for biennial renewal of certificates and changing fees in accordance therewith.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1082, entitled:

An Act amending the "Chiropractic Act of 1956" (P. L. 1206), providing for biennial renewal of registration and changing fees in accordance therewith.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1083, entitled:

An Act amending the "Osteopathic Practice Law," approved March 19, 1909 (P. L. 46), providing for biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1084, entitled:

An Act amending the "Optometrists' Licensure Law," approved March 30, 1917 (P. L. 21), providing for biennial registration and changing fees in accordance therewith.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1099, entitled:

An Act amending "The Professional Nursing Law," approved May 22, 1951 (P. L. 317), providing for biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1512, entitled:

An Act amending the "Pharmaceutical Practice Law," approved May 17, 1917 (P. L. 208), changing from annual to biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1513, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), changing from annual to biennial registration, and increasing certain fees.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1514, entitled:

An Act amending "The Veterinary Law," approved April 27, 1945 (P. L. 321), changing from annual to biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1515, entitled:

An Act amending the "Medical Practice Act," approved June 3, 1911 (P. L. 639), changing from annual to biennial registration and increasing the registration fee.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1516, entitled:

An Act amending the "Chiropractic Registration Act of 1951," approved August 10, 1951 (P. L. 1182), changing from annual to biennial registration.

The PRESIDENT. The report will lie over for printing under the rules.

Mr. SHAFER. Mr. President, I submit the report of the Committee of Conference on House Bill No. 1881, entitled:

An Act amending the "Consumer Discount Company Act," approved April 8, 1937 (P. L. 262), further regulating the granting of licenses and providing for appeals.

The PRESIDENT. The report will lie over for printing under the rules.

COMMITTEE OF CONFERENCE DISCHARGED ON HOUSE BILL No. 1592

Mr. BERGER. Mr. President, I move that the Committee of Conference appointed on House Bill No. 1592, Printer's No. 1809, be discharged from further consideration of this bill.

Mr. LANE. Mr. President, I second the motion.
The motion was agreed to.

SENATE RECEDES FROM ITS INSISTENCE UPON AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1592

Mr. BERGER. Mr. President, I move that the Senate do recede from its insistence upon amendments non-concurred in by the House to House Bill No. 1592, Printer's No. 1809.

Mr. LANE. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE RECEDES FROM ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1592

Mr. BERGER. Mr. President, I move that the Senate do recede from its amendments non-concurred in by the House to House Bill No. 1592, entitled:

An Act amending "The Vehicle Code" approved April

29, 1959 (Act No. 32), increasing the fee for the renewal of an operator's license.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR, OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, recalled from the Governor, go over in their order:

House Bill No. 1572, Printer's No. 1825; and

House Bill No. 1822, Printer's No. 1806.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 160, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners under certain conditions.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 160

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 160.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Shafer, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Silver, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 380, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 380

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 380.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silver, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 785, Printer's No. 1595, on concurrence in House amendments, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 971, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts providing for multiple service credit in the case of certain members of the General Assembly changing the income limitation for disability annuitants and providing a death benefit after ten years of service in certain cases regulating payment by the retirement board to credit unions in certain cases and restricting assignment of rights after payment for default

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 971

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 971.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silver, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1059, entitled:

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1059

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1059.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1133, entitled:

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1133

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1133.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1182, entitled:

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1182

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1182.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |

Flack,
Fleming,
Harney,

McCreesh,
McGinnis,
McMenamin,

Seyler,
Shafer,

Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE ADOPTS

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 379

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

On the question,
Will the Senate adopt the Report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 379

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of the Committee of Conference on Senate Bill. 379.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, I request a short recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a short recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 959

Mr. WHALLEY. Mr. President, I submit the report of the Committee of Conference on House Bill No. 959, entitled:

An Act relating to fish and amending, revising, consolidating, and changing the law relating to fish in the inland waters and boundary lakes and boundary rivers of the Commonwealth.

The PRESIDENT. The report will lie over for printing under the rules.

THIRD READING CALENDAR REVENUE BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents enforcement officers and investigators of the Pennsylvania Board of Parole and employes of any State penal or correctional institution under the Bureau of Correction of the Department of Justice.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. SHAFER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Title, page 2, last four lines of Title, by striking out "AND EMPLOYES OF" in fourth from last line, and all of last three lines of title; amend Sec. 1 (Title), page 3, line 2, by inserting after "Board": "and"; amend Sec. 1 (Title), page 3, lines 4 to 7, by striking out "AND THE EMPLOYES OF" in line 4, all of lines 5 and 6, and "DEPARTMENT OF JUSTICE" in line 7; Amend Sec. 1 (Sec. 1), page 3, line 14, by inserting after "Board": "and"; Amend Sec. 1 (Sec. 1), page 3, lines 16 to 19, by striking out "AND THE EMPLOYES OF" in line 16, all of lines 17 and 18, and "OF JUSTICE" in line 19; amend Sec. 1 (Sec. 1), page 4, lines 9 to 11, by striking out all of line 9 and 10, and "DEPARTMENT OF JUSTICE" in line 11; amend Sec. 1 (Sec. 1), page 5, line 9, by inserting after "Board": and "and"; amend Sec. 1 (Sec. 1), page 5, lines 11 to 14, by striking out "AND EM-" in line 11, all of lines 12 and 13, and "DEPARTMENT OF JUSTICE"

in line 14; amend Sec. 1 (Sec. 1), page 6, lines 4 to 7, by striking out "EMPLOYEE OF ANY" in line 4, all of lines 5 and 6, and "JUSTICE" in line 7; amend Sec 1 (Sec. 1), page 7, lines 4 to 9, by striking out "AND ANY PAY—" in line 4, and all of lines 5 to 9.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. SHAFER. Mr. President, I ask unanimous consent that House Bill No. 162, Printer's No. 1963, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 355, entitled:

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Miller, | Stiefel, |
| Berger, | Keller, | Mullin, | Van Sant, |
| Blass, | Kessler, | Murray, | Wade, |
| Camel, | Koprivier, Jr., | Propert, | Wagner, |
| Chapman, | Kromer, | Ripp, | Walker, |
| Confair, | Lane, | Rooney, | Watkins, |
| DiSilvestro, | Madigan, | Sarraf, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Shafer, | Wolfe, |
| Elliott, | McGinnis, | Silvert, | Fleming, |
| Flack, | McMenamin, | Stevenson, | Presiding Officer |
| Harney, | | | |

NAYS—6

| | | | |
|---------|---------|---------|---------|
| Hays, | Pechan, | Seyler, | Taylor, |
| Mahady, | Ruth, | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 626, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making appropriation.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. KOPRIVER, JR. Mr. President, on behalf of Senator Mallery and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 9), page 3, lines 6 and 7, by striking out all of lines 6, and "\$2640" in line 7, and inserting: "two thousand eight hundred eighty dollars (\$2880"; amend Sec. 1 (Sec. 9), page 3, line 19, by striking out all of said line, and inserting: "two thousand eight hundred eighty dollars (\$2880"; amend Sec. 1 (Sec. 9), page 4, line 3, by striking out all of said line, and inserting: "two thousand eight hundred eighty dollars (\$2880)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. KOPRIVER, JR. Mr. President, I ask unanimous consent that House Bill No. 626, Printer's No. 1965, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 663, Printer's No. 1601, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 672, entitled:

An Act amending the act of May 2, 1925 (P. L. 448) entitled "The Fish Law of 1925" authorizing the use of money in the "fish fund" for an engineering survey of the Susquehanna River.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-----------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |

Elliott,
Flack,
Harney,
Hays,

McCreesh,
McGinnis,
McMenamin,
Miller,

Seyler,
Shafer,
Silvert,
Stevenson,

Wolfe,
Fleming,
Presiding Officer

NAYS—0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 871, Printer's No. 1735, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 900, Printer's No. 1193, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. PECHAN. Mr. President, I move that House Bill No. 954, on third reading entitled:

An Act defining and relating to installment land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions. be recommitted to the Committee on Rules.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

REQUEST THAT BILL GO OVER IN ORDER

Mr. SEYLER. Mr. President, I would ask that House Bill No. 954, Printer's No. 1364, on third reading go over in its order.

The PRESIDING OFFICER. There is a motion before the Senate to recommit this bill.

Mr. PECHAN. Mr. President, I object to the bill going over in its order.

Mr. SEYLER. Mr. President, am I to understand that it is the Chair's ruling that a request for a bill to go over in its order is out of order, after a motion has been made to recommit it?

The PRESIDING OFFICER. After a motion has been made and duly seconded to recommit, a request for the bill to go over in its order is out of order.

Mr. SEYLER. Mr. President, may I ask the Chair whether a motion to put the bill over in order is in order after a motion has been made to recommit?

The PRESIDING OFFICER. We cannot have two motions at the same time. We can dispose of this motion and if the motion is defeated, then, certainly your motion to put it over in order would be in order.

Mr. SEYLER. Mr. President, I thank the Chair.

I wish to be recorded, Mr. President, as voting "no" on the motion to recommit this bill.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL RE-REFERRED

Mr. PECHAN. Mr. President, I move that Senate Bill No. 1017, on third reading, entitled:

An Act providing for the abatement of nuisances arising out of hazardous unsafe or structurally dangerous buildings or premises in cities of the first class providing for the service or posting of notices relating to the work necessary to abate or posting of notices relating to the work necessary to abate such nuisances authorizing such cities of the first class themselves or by contract to abate such nuisances under certain conditions providing for the filing of liens for the cost of such work providing for appeals and imposing penalties.

be re-referred to the Committee on Rules.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, it is the desire of the Minority that Senate Bill No. 1017 go over in its order. Since I am precluded from making that motion, if the gentleman will not withdraw his motion, I would ask to be recorded as voting "no."

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

REQUEST THAT BILLS GO OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1079, Printer's No. 732;

House Bill No. 1085, Printer's No. 733;

House Bill No. 1086, Printer's No. 734;

House Bill No. 1087, Printer's No. 735;

House Bill No. 1088, Printer's No. 736;

House Bill No. 1089, Printer's No. 737;

House Bill No. 1090, Printer's No. 738;

House Bill No. 1091, Printer's No. 739;

House Bill No. 1092, Printer's No. 740;

House Bill No. 1093, Printer's No. 741;

House Bill No. 1094, Printer's No. 1966;

House Bill No. 1095, Printer's No. 743;

House Bill No. 1096, Printer's No. 744;

House Bill No. 1097, Printer's No. 745;

House Bill No. 1098, Printer's No. 746;

House Bill No. 1122, Printer's No. 1235; and

The PRESIDING OFFICER. Is there objection?

Mr. SEYLER. Mr. President, I object to these bills going over in their order.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I move that the foregoing bills go over in their order.

Mr. EHRCOOD Mr President, I second the motion

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, for the same reasons as given before, I desire to be recorded as voting "no."

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 1189, Printer's No. 1591, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1195, Printer's No. 1268; and

Senate Bill No. 1204, Printer's No. 1483.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182), entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Peckan, | Van Sant, |
| Camel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1233, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing names of State Teachers' Colleges.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Taylor, |
| Berger, | Keller, | Murray, | Van Sant, |
| Blass, | Kessler, | Peckan, | Wade, |
| Camel, | Koprivier, Jr., | Propert, | Wagner, |
| Chapman, | Kromer, | Ripp, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Rooney, | Weiner, |
| Donolow, | Mahady, | Sarraf, | Whalley, |
| Ehrgood, | Mallery, | Scott, | Wolfe, |
| Elliott, | McCreesh, | Seyler, | Silvert, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Stevenson, | Presiding Officer |
| Hays, | Miller, | Stiefel, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1242, Printer's No. 1573, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1316, entitled:

An Act amending the act of June 2, 1937 (P. L. 1183) entitled "An act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Peckan, | Van Sant, |
| Camel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1324, Printer's No. 566;
House Bill No. 1325, Printer's No. 567;
House Bill No. 1327, Printer's No. 568; and
House Bill No. 1328, Printer's No. 569.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAHADY. Mr. President, I ask unanimous consent that House Bill No. 1647, Printer's No. 1817, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat and providing a penalty for the violation thereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, on behalf of Senator Berger, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 1112), page 4, line 2, by striking out all said line; Amend Sec. 2 (Sec. 1112), page 4, by inserting between line 7 and 8 the following: "with the warrants established by the Secretary of Highways. Before local."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1675, Printer's No. 2006, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2037, entitled:

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the

Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Probert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the building or rebuilding of schools and the preparation of drawings for such schools repealing certain provisions concerning heating and ventilating standards and changing provisions relating to the determination of certain reimbursement amounts.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Probert, | Wade, |
| Camiel, | Koprivier, Jr. | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Madigan, | Ruth, | Watkins, |
| DiSilvestro, | Mallery, | Sarraf, | Weiner, |
| Donolow, | McCreesh, | Scott, | Whalley, |
| Ehrgood, | McGinnis, | Shafer, | Wolfe, |
| Elliott, | McMenamin, | Silvert, | Fleming, |
| Flack, | Miller, | Stevenson, | Presiding Officer |
| Harney, | Mullin, | Stiefel, | |

NAYS—4

| | | | |
|-------|-------|---------|---------|
| Hays, | Lane, | Mahady, | Seyler, |
|-------|-------|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2260, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "Local Tax Enabling Law" providing for levying assessment and collection of taxes by certain independent school districts.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Ferger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2261, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the levying and collection of taxes by certain independent school districts.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-----------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McMenamin, | Shafer, | Fleming, |

| | | | |
|---------|-----------|------------|-------------------|
| Harney, | McGinnis, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2297, entitled:

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "The Pennsylvania Workmen's Compensation Act" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable, changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Mahady, | Ruth, | Watkins, |
| Donolow, | Madigan, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2314, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitation with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr., | Probert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elllott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2382, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the provisions which make certain wordly employment unlawful on Sunday.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2 (Sec. 699.4), page 3, line 9 by inserting after "BOWLING": "basketball."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2382, Printer's No. 1864, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2394, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949 changing the provisions relating to the reading of the Bible in public schools.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. EHRGOOD. Mr. President, on behalf of Senator Probert and myself, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 1516), page 2, lines 4 and 5, by striking out the brackets before and after "At least"; Amend Sec. 1 (Sec. 1516), page 2, line 5, by striking out "Up to"; Amend Sec. 1 (Sec. 1516), page 2, line 5, by striking out the brackets before and after "shall"; Amend Sec. 1 (Sec. 1516), page 2, line 5, by striking out "may"; Amend Sec. 1 (Sec. 1516), page 2, line 7, by inserting a bracket before "by"; Amend Sec. 1 (Sec. 1516), page 2, line 7, by striking out the bracket before "Provided"; Amend Sec. 1 (Sec. 1516), page 2 line 15, by striking out "or under such teacher's direction"; Amend Sec. 1 (Sec. 1516), page 2, line 16, by inserting after "READING": "or attending such Bible reading."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. EHRGOOD. Mr. President, I ask unanimous consent that House Bill No. 2394, Printer's No. 2009, on third reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2412, entitled:

An Act amending the act of September 8, 1959 (Act No. 330) entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr., | Probert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elllott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2414, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third City Code" providing for payment to posts of the Italian American World War Veterans of the United States Incorporated.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 2417, Printer's No. 1793, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 117, Printer's No. 822; and

House Bill No. 203, Printer's No. 1862.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 253, entitled:

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 364, Printer's No. 391, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. PECHAN. Mr. President, because of the lateness of the hour, I will not object. However, we will get back to this bill again.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 506, Printer's No. 1964, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

MOTION TO RE-REFER

Mr. PECHAN. Mr. President, I move that Senate Bill No. 924, on second reading, entitled:

An Act providing subpoena power for District Attorneys.

be re-referred to the Committee on Rules.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SEYLER. Mr. President, I would request that the Senator withdraw his motion so that I may ask that the bill go over in its order.

The PRESIDING OFFICER. Will Senator Pechan withdraw his motion?

MOTION TO RE-REFER BILL WITHDRAWN

Mr. PECHAN. Mr. President, because of the lateness of the hour, I will withdraw my motion to re-refer this bill.

Mr. WAGNER. Mr. President, I will withdraw my second to the motion.

Mr. SEYLER. Mr. President, I wish the hour had gotten later earlier.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I now ask unanimous consent that Senate Bill No. 924, Printer's No. 1087, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. PECHAN. Mr. President, I ask unanimous consent that Senate Bill No. 1117, Printer's No. 1335, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

The first section was read.
On the question,
Will the Senate agree to the section?
Mr. VAN SANT offered the following amendment:

Amend Bill, page 3, by inserting after line 12: "Section 2. This act shall take effect immediately."

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time, as amended,
On the question,
Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that Senate Bill No. 1139, Printer's No. 1614, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. PECHAN. The hour is still late, Mr. President.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order, as amended.

BILL OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1161, Printer's No. 1375, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1162, entitled:

An Act amending the act of June 25, 1895 (P. L. 275) entitled "City Classification Law" changing the mode for the advance in classification of cities upon their increase in population.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1178, Printer's No. 1995, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by fixing a time limit upon the duration of regular sessions and limiting the power of the Governor to convene special sessions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the second reading and consideration of Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1261, Printer's No. 1795;

House Bill No. 1344, Printer's No. 1876; and

House Bill No. 1380, Printer's No. 1810.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1473, Printer's No. 1996; and

House Bill No. 1474, Printer's No. 1997.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1589, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" eliminating fees for licenses issued under the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that House Bill No. 1830, Printer's No. 1999, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1927, Printer's No. 1889; and

House Bill No. 1971, Printer's No. 1679.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 2000, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RE-REFERRED

Mr. PECHAN. Mr. President, I move that House Bill No. 1979, on second reading, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" requiring county election boards to submit additional reports with respect to registered electors.

be re-referred to the committee on Rules.

Mr. Taylor, Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1980, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the marking and counting of ballots.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. PECHAN. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1981, Printer's No. 1156; and

House Bill No. 2108, Printer's No. 1890.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2150, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence due to underground mining of Anthracite Coal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commissioning as police officers certain employees of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2193, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2277, Printer's No. 1690;

House Bill No. 2316, Printer's No. 1774;

House Bill No. 2338, Printer's No. 2008; and

House Bill No. 2402, Printer's No. 1798.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 2419, Printer's No. 1792, on second reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing time for payment of certain portions of salary and expenses.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. RUTH offered the following amendments:

Amend Section 1 (Section 14), page 2, lines 15 and 16, by striking out the brackets before "except" in line 15 and after "clerical" in line 16; Amend Section 1 (Section 14), page 3, lines 1 and 3, by striking out the brackets

before "assistance" in line 1 and after "annually" in line 3; Amend Section 1 (Section 14), page 3, line 3, by striking out the brackets before "and" after "expenses"; Amend Section 1 (Section 14), page 3, line 7, by inserting after "year": "except that the salaries of the members of the House of Representatives shall be six thousand dollars (\$6,000) per annum without the allowance of three thousand dollars (\$3,000) for clerical assistance after their election at the general election in 1960 and the salaries of the members of the Senate as they are severally elected at the general election in 1960 and subsequent elections shall be six thousand dollars (\$6,000) per annum without any allowance of three thousand dollars (\$3,000) for electrical assistance."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. RUTH offered the following amendment:

Amend Section 2, page 3, line 10, by inserting after "Constitution": "and without the elimination of the three thousand dollars (3,000) allowance for clerical assistance and other expenses except as herein provided."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF HOUSE BILL No. 2436

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, *** certain state officers, and the salary and expenses of the members of the General Assembly, ***" changing time for payment of certain portions of salary and expenses. just passed second reading, as amended.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. PECHAN Mr President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading, as amended?

Mr. BERGER. Mr. President, I move that the Senate do now consider the vote by which the amendments to this bill were agreed to.

The PRESIDING OFFICER How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

AMENDMENTS WITHDRAWN

Mr. RUTH. Mr. President, I now desire to withdraw the amendments previously offered to this bill.

The PRESIDING OFFICER. There being no objection, the amendments will be withdrawn.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing the compensation of members of the General Assembly.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Section 1 (Section 14), page 2, lines 15 and 16, by striking out the brackets before "except" in line 15 and after "clerical" in line 16; Amend Section 1 (Section 14), page 3, lines 1 and 3, by striking out the brackets before "assistance" in line 1 and after "annually" in line 3; Amend Section 1 (Section 14), page 3, line 3, by striking out the brackets before "and" and after "expenses"; Amend Section 1 (Section 14), page 3, line 7, by inserting after "year": "except that the salaries of the members of the House of Representatives shall be six thousand dollars (\$6,000) per annum without the allowance of three thousand dollars (\$3,000) for clerical assistance after their election at the general election in 1960 and the salaries of the members of the Senate as they are severally elected at the general election in 1960 and subsequent elections shall be six thousand dollars (\$6,000) per annum without any allowance of three thousand dollars (\$3,000) for clerical assistance."

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Section 2, page 3, line 10, by inserting after "Constitution": "and without the elimination of the three thousand dollars (\$3,000) allowance for clerical assistance and other expenses except as herein provided."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the third time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 432, entitled:

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough Chester County.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 976, entitled:

An Act providing for the lapsing of fifty per centum of certain unexpended appropriations and appropriating the remaining fifty per centum to the state teachers' college which has such unexpended funds.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1172, entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1251, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1608, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929," creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300) entitled "An act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties" abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "Adoption Law" by abolishing the advisory committee on adoption standards.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1612, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" eliminating the necessity of approval by the State Board of Public Assistance of certain standards rules and regulations.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind . . .," transferring functions from the State Council for the Blind to the Department of Public Welfare.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1734, entitled:

An Act creating an Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity

in the use of funds appropriated by the act of July 7, 1955 (P. L. 258) entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated or offered for dedication where no formal record appears as to acceptance by the political subdivision as public parks squares or similar uses and public buildings and no longer necessary or practicable for such purposes and granting orphans' courts jurisdiction with respect thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1954, entitled:

An Act lapsing a balance of an appropriation made from the Motor License Fund to the Department of Highways in the act of September 3, 1955 (Appropriation Act No. 18-A).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2209, entitled:

An Act providing for the adjudication of contract claims against the Commonwealth and the establishment of a Board to hear such claims providing for appeals to the Supreme Court prescribing powers and duties of the Board providing for salaries of the members thereof the procedure to be followed providing that the Commonwealth consents to be sued upon contract claims and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2291, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of starter pistols to minors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2362, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" making technical changes and clarifying language.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments claims and liens.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381) entitled "An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties" further regulating the height of fences around premises used for raising mink.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2425, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employees' Retirement Code of 1959" providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2431, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2429 FROM THE GOVERNOR TAKEN FROM THE TABLE

Mr. BERGER. Mr. President, I call from the table House Concurrent Resolution recalling from the Governor House Bill No. 2429, for consideration at this time.

The PRESIDING OFFICER. There being no objection, the Clerk will read the resolution.

The resolution was read by the Clerk as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur), That House Bill No. 2429, Printer's No. 1835, entitled:

An Act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law, for the two fiscal years beginning June first, one thousand nine hundred fifty-nine, and for the payment of assistance and expenses accrued or incurred

prior to and remaining unpaid on May 31, 1959, and limiting the amount thereof available for administrative expenses.

be recalled from the Governor for the purpose of further consideration.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION RECALLING HOUSE BILL
No. 2429 FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON SENATE BILL No. 379

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted the Report of Committee of Conference on Senate Bill No. 379, entitled:

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "The Military Code of 1949," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON SENATE BILL No. 868

He also informed the Senate that the House has adopted the Report of Committee of Conference on Senate Bill No. 868, entitled:

An Act amending the title and act, of June 17, 1915 (P. L. 1012), entitled as amended "Small Loans Act," increasing the maximum loan to eight hundred (\$800) dollars; increasing the rates of interest on balances in excess of three hundred (\$300) dollars and extending the maturity limitation on loans.

HOUSE RECEDES FROM ITS AMENDMENTS NON-
CONCURRED IN BY THE SENATE TO HOUSE BILL
No. 1213, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has receded from its amendments non-concurred in by the Senate to House Bill No. 1213, recalled from the Governor, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), further regulating the payment of costs for the care of patients, and limiting liability for such payment.

PETITIONS AND REMONSTRANCES

Mr. ELLIOTT. Mr. President, this evening we passed a bill, Senate Bill No. 1233, Printer's No. 1562, changing the names of the State Teachers' Colleges. I supported the bill and voted for it. Therefore, I cannot be, I hope, considered speaking in opposition to it now. However, as the rest of my colleagues in the Senate, I am vitally interested in and concerned about higher education, and because of

the seeming, at least to me, importance of this bill, I feel compelled to make these few brief remarks about it.

I cannot, nor did I, argue against the name change of the State Teachers' Colleges and the altered purpose which they might follow. We most certainly have need for expanded higher educational opportunities and facilities in the Commonwealth, and it is far better and certainly much less expensive to enlarge existing facilities than to create new ones. However, since this change in the name has been effected, at least by the Senate, I respectfully suggest that some very serious thinking be done about any possible implications.

I do not doubt that competition will increase for the private liberal arts colleges. The latter will just have to be unique in their contributions and in what they offer academically. Yet, this is not the only possible effect and certainly not the most serious one.

If the State Teachers' Colleges are to become true colleges, can they continue to look upon themselves as a part of the public school system? This is all right when they are devoted only to teacher training. However, when they change their identity, if that is what they do, must they change their function as well? This is a question which occurs to me, and only a question that I raise. This would, or could possibly call for a complete change in the School Code. It might well be—and I do not know, but it might well be—that changes will have to be made concerning their relationship to the Department of Public Instruction, their internal administrative structure, and needfully, if not necessarily, to the boards of trustees. These institutions are now controlled by rules and regulations to the extent that they have virtually no individual identity. The presidents are responsible to the Superintendent of Public Instruction, to the board of presidents, to their boards of trustees, to the Department of Property and Supplies and so on.

If all the bill accomplishes is the deletion of a word, there can be little if any objection. Indeed, there is none on my part nor was there any. However, someone has to recognize the possible implications that this may entail. With this new name, what will emerge as the new purpose? Will the institutions continue as they have in the past, doing the fine job that they have done? Will they possibly grow, and grow uncontrolled, or will they grow controlled, knowing where they are going and what they are doing and what their new, if any, purpose might be, or will they spread too thin by offering too much that is new, and thus weaken their fine educational programs already in existence?

By all means, let the State Teachers' Colleges change their names if they wish. It is something which I have supported and am in support of. Let them expand if they wish, which is something the Commonwealth needs. However, I merely suggest that they consider the expansion, if such is the case, on a sound basis of operation, recognizing the many physical changes that might be required and their ultimate purpose, place and function in the whole field of higher education in the Commonwealth.

Mr. PECHAN. Mr. President, I, as a co-sponsor of the measure about which my distinguished colleague, Douglas Elliott, spoke, was thankful to the membership of this Body for unanimously adopting the proposition that we drop the word "Teachers" from the fourteen State

Teachers' Colleges, as they are presently called.

Senator Elliott, as we all know, is vice-president of a very fine liberal arts college, Wilson College, and I know he is tremendously interested in our program of higher education in the Commonwealth of Pennsylvania. He mentioned something about competition with the other liberal arts colleges. Competition never hurt anyone, and I think good competition will make for not only better State Teachers' Colleges, but will alert the other schools so that they will offer better courses.

The principal reason for the change is that it is becoming a national trend. There have been some twenty-seven States that have changed the name of their State Teachers' Colleges to State Colleges. In fact, our fourteen State Teachers' Colleges are State colleges. We own them and we run them more so than we do even our own Pennsylvania State University.

We have talked about setting up junior colleges throughout the Commonwealth. I think these fourteen State Colleges, set up geographically as they are, will offer many, many boys and girls an opportunity to get an education by being able to commute from their homes to attend one of these schools.

Certainly we want to continue these fourteen State Colleges—I hope we can drop the word "Teachers"; I want to get used to it—and certainly these fourteen institutions are going to, in the near future, I hope, plan to expand their field of learning. Their primary purpose is going to be to train teachers for our schools. I think they have done an admirable job. Some of our State Teachers' Colleges now have the right to give master's degrees in elementary education. Indiana State Teachers' College I think has some four hundred graduate students presently.

These schools offer facilities. They already have the buildings. Perhaps they do not have all of the facilities they will need when they expand, but it is certainly going to be a lot less expensive than to set up new institutions. Therefore, I think that is the main reason for the idea of dropping the word "Teachers" from the State Teachers' Colleges.

Mr. HAYS. Mr. President, I do not wish to talk on this topic at this time. At some later date, I may. If anyone else wishes to discuss this topic, I will yield to them.

I now yield to Senator Mahady, who wishes to speak on this topic.

Mr. MAHADY. Mr. President, a rose by any other name still smells as sweet. However, I think the remarks made by Senator Elliott should not be discounted at this time. There is no question about the fact that we have a problem of transition from an ox cart system of education to making it a modern one. This transition must be done with care and with thought. It cannot be done without co-ordination or direction. The questions which Senator Elliott raised are indeed deep questions. They are not to be shuffled aside lightly, nor are they to be discussed with the change of name, but rather they have substance to them.

I also leave with you, at this time, the fact that we have House Bill No. 1941 which is part of the progress necessary to lift this out of the high school approach as being the only approach to education. This bill provides for a State Council for the colleges, so that the colleges may direct and co-ordinate their own affairs. The very—shall we say—conflict that Senator Pechan raises here

as to how far you shall go and where you shall go can only be adequately aligned by creating a system of education in this Commonwealth which is geared to a college level and a college end to education, rather than at the high school level. The Rules Committee should be reminded that House Bill No. 1941 is essential to the growth of modern education in Pennsylvania.

Mr. MULLIN. Mr. President, the only question in my mind at this time is, why are all these fourteen colleges so far away from the people that you have to be wealthy to go to them?

Mr. HAYS. Mr. President, I would like to call to the attention of the Members of the Senate, and the visitors present, that this is November 19. If you will look at this magnificent painting in front of us, you will see the title on it is "Gettysburg, November 1863." If the title were complete, it would read: "November 19." Therefore, on this anniversary, I think the Senate should not adjourn without at least calling attention to the fact that this is the ninety-sixth anniversary of the day on which Abraham Lincoln delivered the most distinguished speech ever delivered I think in the English language.

If it were not for the lateness of the hour, we would read or cause to be read the two and one-half minute Gettysburg Address.

HOUSE MESSAGES

HOUSE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE SENATE TO HOUSE BILL No. 660

The Clerk of the House of Representatives being introduced, informed the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and imposing the tax upon the gross receipts of gas companies.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 660

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and imposing the tax upon the gross receipts of gas companies.

The PRESIDING OFFICER. At this time, the Chair relinquishes the gavel to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bill:
House Bill No. 660.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate

do now adjourn until Friday, November 20, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:17 o'clock, p.m., Eastern Standard Time, until Friday, November 20, 1959, at 10:00 o'clock, a.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, November 19, 1959

The House met at 1:00 p.m. Eastern Standard Time.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious God and Everlasting Father, Thou Who art more ready to give than we to ask, and Thou Whose truth endureth to all generations; in the splendor of this day we come to Thee, beseeching Thee to look with favor upon us; and even though we deserve Thy chastening for our sins, be Thou merciful and forgiving. O God, we humbly entreat Thee, on behalf of this House of Representatives, to grant these servants of Thine the readiness to call upon Thee and the assurance that Thou dost hear and wilt answer prayer; give them the eternal truth which Thou hast shown to the world and challenge them to ever walk therein: through Jesus Christ, Thy dear Son, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, November 18, 1959 will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 209.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

Referred to the Committee on Rules.

SENATE BILL No. 773.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employes in such cases.

Referred to the Committee on Rules.

SENATE BILL No. 932.

An Act amending the act of April 17, 1929 (P. L. 527), entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and cost of removal of nuisances by actions of assumpsit.

Referred to the Committee on Rules.

SENATE BILL No. 1201.

An Act amending the act of May 24, 1945 (P. L. 967) entitled "Fictitious Name Act" prohibiting assumed or fictitious names styles or designations from being deceptively similar to other names, styles or designation.

Referred to the Committee on Rule.

SENATE BILL No. 1247.

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

Referred to the Committee on Rules.

SENATE BILL No. 1248.

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

Referred to the Committee on Rules.

SENATE MESSAGE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 910.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the computation and payment of tuition charges for non-resident pupils.

HOUSE BILL No. 991.

An Act amending the act of June 8, 1907 (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries * * * and making an appropriation therefor authorizing cities of the first class to remove wharves, piers, bulkheads, pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

HOUSE BILL No. 2120.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) prescribing an alternative method for fixing the rates of certain common carriers.

HOUSE BILL No. 2175.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) validating certain unions of school districts.

HOUSE BILL No. 2364.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur), that House Bill No. 998, Printer's No. 1851, entitled "An act amending the

act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto' by defining distressed school districts creating and authorizing a special board of control to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur) that House Bill No. 2368, Printer's No. 1714, entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the compensation of auditors," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL NO. 184.

An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

SENATE BILL NO. 1093.

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers restriction limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No 623

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 623.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prescribing penalties for using obscene

or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

SENATE MESSAGE

AMENDED SENATE RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Resolution numbered and entitled as follows:

SENATE SERIAL NO. 112.

Directing the Joint State Government Commission to make a study of laws relating to consumer credit and financing.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

Mr. McCANN from the Committee on Rules, reported as committed Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission Law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public Schol Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission Law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to inform the House, of our present plans that are agreed to up to the present time.

Mr. Speaker and Members of the House, we will act on first reading and second reading bills, and we have three bills that we will vote on before we caucus today, when we do break for our respective party caucuses.

On page 8 of today's calendar are omitted two conference Committee Reports. I ask that everybody write, Senate Bill 379, Printer's No. 1609, Conference Committee Report, and Senate Bill 868, Printer's No. 1599, Conference Committee Report, which would make a total of five Conference Committee Reports that we would then be able to cover in our respective caucuses. The Conference Com-

mittee Reports are in print and on file on every Member's desk.

Mr. Speaker, in our caucus we will cover all third reading, final passage and Conference Committee Reports and come back here. We would act on them and we have a series of motions on concurrence and nonconcurrence to cover here today. At the appropriate time I will ask for the necessary motion for a recess for the respective party caucuses. We will have three roll calls before we go to caucus.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2295, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P L 58) changing provisions concerning limitations of action and proceedings by information and warrant and imposing costs for failure to appear in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 319, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2048, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions trades vocations and commercial activities therein providing for its levy and collection * * *" defining "receipts" to exclude certain wholesale dealers in tobacco and tobacco products and making such definitions retroactive.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2096, entitled:

An Act relating to water well drillers * * * providing for the revocation of suspension of licenses and prescribing unlawful acts and penalties.

The first to fifth sections inclusive were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 6, page 6, line 6 by inserting after "department": "The department shall enter into agreement with

the Department of Health for the purpose of enabling the Department of Health to inspect and take samplings as may be deemed necessary pertaining to sanitary standards."

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 7, page 8, line 1 by inserting after "provide" "jointly with the Department of Health."

It was agreed to.

The section was agreed to as amended.

The eighth to sixteenth sections inclusive were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. POLEN offered the following amendment:

Amend Title, page 1, third line of Title, by inserting after "Affairs": "and the Department of Health."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House preceeded to the second reading and consideration of Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DOWN offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "fifty thousand dollars (\$50,000)" and inserting: "twenty-five thousand dollars (\$25,000)."

Amend Sec. 1, page 2, line 4, by striking out "construction of new buildings and."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. DOWN offered the following amendment:

Amend Title, page 1, second and third lines of Title, by striking out "construction of new buildings and."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. SCHWARTZ for the remainder of the week due to illness.

Mrs. Varallo for Mr. DENNIS for the remainder of the week due to illness.

Mrs. Varallo for Mr. J. P. O'DONNELL for the remainder of the week due to illness.

Mr. Willaredt for Mr. J. H. GOLDSTEIN for the remainder of the week.

Mr. Willaredt for Mr. UJOBAL for today.

Mr. Willaredt for Mr. ODORISIO for today.

Mr. Willaredt for Mr. WHITTAKER for today.

BILLS CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House preceeded to the consideration on final passage of Senate Bill No. 1220, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey all or any part of 7,715 square feet of land situate in East Allen Township Northampton County.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

| | | | |
|-------------|-------------------|-------------------|----------------------|
| Agnew, | Frank, | Lutty, | Royer, |
| Anderson, | Frascella, | McCandless, | Rudisill, |
| Arlene, | Fulmer, | McCann, | Sakulsky, |
| Ashton, | Gallagher, | McDonald, | Scarcell, |
| Auker, | Garlock, | McInroy, | Schaaf, |
| Balthaser, | Gelfand, | McLaughlin, | Schuster, |
| Barton, | George, | Machmer, | Seltzer, |
| Bell, | Gibb, | Magee, | Sherman, |
| Blair, | Goldstein, M. H., | Mahan, | Shupnik, |
| Boles, | Goodrich, | Markley, | Silverman, |
| Bonner, | Gramlich, | Maxwell, | Snare, |
| Boris, | Guthrie, | Meholchick, | Snider, |
| Bower, | Hamilton, | Merry, | Stank, |
| Branca, | Heavey, | Mihm, | Steckel, |
| Brenninger, | Henzel, | Miller, B. Z., | Stewart, |
| Breth, | Hocker, | Miller, H. G., | Stimmel, |
| Buchanan, | Holliday, | Mills, | Stone, |
| Burns, | Holt, | Muldowney, | Stoner, |
| Capano, | Horst, | Mullen, | Strausser, |
| Capitolo, | Irvlis, | Munley, | Stroup, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Sullivan, |
| Cioffi, | Jenkins, | Murray, H. P., | Taylor, |
| Clarke, | Jim, | Murray, J. J., | Thompson, |
| Comer, | Johnson, A. W., | Murray, P. G., | Tompkins, |
| Crossin, | Johnson, R., | Musto, | Trusio, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jones, T. H. W., | Needham, | Varnier, |
| Dengler, | Jump, | Nelson, | Verona, |
| Dennison, | Kamyk, | O'Dell, | Wall, |
| Devlin, | Kee, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kelser, | Oglvie, | Wargo, |
| Donaldson, | Kernaghan, | O'Neill, | Weidner, |
| Dougherty, | Kessler, | Parlante, | Welsh, |
| Down, | Knecht, | Pashley, | Wheeler, |
| Edwards, | Kooker, | Perry, H. H., | Williams, A.D., Jr., |

| | | | |
|------------|-------------|---------------|------------------|
| Eilberg, | Kornick, | Perry, P. E., | Williams, E. S., |
| Eshback, | Korns, | Petrosky, | Willard, |
| Eshleman, | Kovolenko, | Polaski, | Willaredt, |
| Ewing, | Kubitsky, | Polen, | Wilt, |
| Farabaugh, | Lamb, | Prendergast, | Wood, |
| Fetterolf, | Lee, A. M., | Price, | Worley, |
| Filo, | Lee, K. B., | Pursley, | Yatron, |
| Fineman, | Leonard, | Reibman, | Yetter, |
| Floyd, | Limper, | Renwick, | Zimmerman, |
| Flynn, | Lippincott, | Rigby, | Andrews, |
| Foerster, | Lopresti, | Riley, | Speaker |
| Fox, | Luigard, | Rovansek, | |

NAYS—0

NOT VOTING—23

| | | | |
|-------------------|------------|--------------------|------------|
| Bowman, | Heffner, | Moran, | Stevens, |
| Brown, | Helm, | Murphy, A. J., Jr. | Ujohal, |
| Cooper, | Light, | O'Donnell, J. P. | Wescott, |
| Dennis, | McCormack, | Odorisio, | Whittaker, |
| Galley, | McKeever, | Reidenbach, | Wynd, |
| Goldstein, J. H., | Monroe, | Schwartz, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances and creating a special board to pass upon the retirement of members who have attained the compulsory resignation age.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, last four lines of Title, by striking out "AND GREAT—" in fourth from last line, and all of last three lines of Title.

Amend Sec. 1 (Sec. 205), page 4, line 20, page 5, line 1, by striking out: "EXCEPT AS HEREINAFTER PROVIDED".

Amend Sec. 1 (Sec. 205), page 5, lines 7 to 19, page 6, lines 1 to 16, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. HOCKER. Mr. Speaker, I do not wish to go into detail on these amendments. I think everyone knows what they are doing. The gestapo has been working the last four days and I would ask for a division on this amendment.

Mr. McCANN. Mr. Speaker, Senate Bill No. 118, Printer's No. 1592, the last section of the bill was amended. It deals with permitting State Police to be kept on at the discretion of a board that would handle this particular problem.

These amendments I have offered remove that section from the bill I ask that the Members vote on a division

as requested by the gentleman from Dauphin, Mr. Hocker.

On the question recurring,

Will the House agree to the amendments?

A division was called for, more than a majority of the Members having voted in the affirmative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER. The Chair at an appropriate time will have something to say about the principle involved in this bill, but not at this time.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 940, entitled:

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

| | | | |
|-------------|-------------------|-------------------|----------------------|
| Agnew, | Frank, | Lutty, | Royer, |
| Anderson, | Frascella, | McCandless, | Rudistill, |
| Arlene, | Fulmer, | McCann, | Sakulsky, |
| Ashton, | Gallagher, | McDonald, | Scarcelli, |
| Auker, | Garlock, | McInroy, | Schaaf, |
| Balthaser, | Gelfand, | McLaughlin, | Schuster, |
| Barton, | George, | Machmer, | Seltzer, |
| Bell, | Gibb, | Magee, | Sherman, |
| Blair, | Goldstein, M. H., | Mahan, | Shupnik, |
| Boles, | Goodrich, | Markley, | Silverman, |
| Bonner, | Gramlich, | Maxwell, | Snare, |
| Boris, | Guthrie, | Meholchick, | Snider, |
| Bower, | Hamilton, | Merry, | Stank, |
| Branca, | Heavey, | Mihm, | Steckel, |
| Brenninger, | Henzel, | Miller, B. Z., | Stewart, |
| Breth, | Hocker, | Miller, H. G., | Stimmel, |
| Buchanan, | Holliday, | Mills, | Stone, |
| Burns, | Holt, | Muldowney, | Stoner, |
| Capano, | Horst, | Mullen, | Strausser, |
| Capitolo, | Irvis, | Munley, | Stroup, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Sullivan, |
| Cioffi, | Jenkins, | Murray, H. P., | Taylor, |
| Clarke, | Jim, | Murray, J. J., | Thompson, |
| Comer, | Johnson, A. W., | Murray, P. G., | Tompkins, |
| Crossin, | Johnson, R., | Musto, | Trusio, |
| Curwood, | Jones, F. R., | Naugle, | Varallo, |
| Davis, | Jones, T. H. W., | Needham, | Varner, |
| Dengler, | Jump, | Nelson, | Verona, |
| Dennison, | Kamyk, | O'Dell, | Wall, |
| Devlin, | Kee, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kelser, | Ogilvie, | Wargo, |
| Donaldson, | Kernaghan, | O'Neill, | Weidner, |
| Dougherty, | Kessler, | Parlante, | Welsh, |
| Down, | Knecht, | Pashley, | Wheeler, |
| Edwards, | Kooker, | Perry, H. H., | Williams, A.D., Jr., |
| Eilberg, | Kornick, | Perry, P. E., | Williams, E. S., |
| Eshback, | Korns, | Petrosky, | Willard, |
| Eshleman, | Kovolenko, | Polaski, | Willaredt, |
| Ewing, | Kubitsky, | Polen, | Wilt, |
| Farabaugh, | Lamb, | Prendergast, | Wood, |
| Fetterolf, | Lee, A. M., | Price, | Worley, |
| Filo, | Lee, K. B., | Pursley, | Yatron, |

| | | | |
|------------------|--------------------|------------------|-------------------|
| Fineman, | Leonard, | Reibman, | Yetter, |
| Floyd, | Limper, | Renwick, | Zimmerman, |
| Flynn, | Lippincott, | Rigby, | Andrews, |
| Foerster, | Lopresti, | Riley, | Speaker |
| Fox, | Luigard, | Rovansek, | |

NAYS—0

NOT VOTING—23

| | | | |
|--------------------------|-------------------|---------------------------|-------------------|
| Bowman, | Heffner, | Moran, | Stevens, |
| Brown, | Helm, | Murphy, A. J., Jr. | Ujobal, |
| Cooper, | Light, | O'Donnell, J. P. | Wescott, |
| Dennis, | McCormack, | Odorisio, | Whittaker, |
| Galley, | McKeever, | Reidenbach, | Wynd, |
| Goldstein, J. H., | Monroe, | Schwartz, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 984, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" requiring certain school districts to provide chaperons when transporting school children in certain cases.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1106, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I would like to have someone explain the bill and the purpose of the bill.

The SPEAKER. Any Member of the House is entitled to debate the bill.

The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS. Mr. Speaker, I have no desire to debate the bill. However, the gentleman from Allegheny, Mr. Filo, has asked that its purpose be explained, as I understand it.

In 1960, the Federal government takes its usual ten-year census. As a result of that census, the populations in many of the boroughs, townships and cities of Pennsylvania will increase considerably. Under the present liquor quota law you are permitted one licensee for each 1,000 population or any part thereof. The purpose of this bill is to change that ratio to one license for each 1,500 people.

Mr. FILO. Mr. Speaker, I would like to ask the gentleman one question. Would this lower the number of li-

censees in this instance?

Mr. A. D. WILLIAMS. This bill will have no effect on existing licensees. No one will lose their license as a result of this legislation. In the future this will reduce the potential number of new licensees.

Mr. FILO. That is all. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

| | | | |
|--------------------|--------------------------|--------------------------|------------------------------|
| Agnew, | Frank, | Luigard, | Riley, |
| Anderson, | Frascella, | Lutty, | Rudisill, |
| Arlene, | Fulmer, | McCandless, | Sakulsky, |
| Ashton, | Gallagher, | McCann, | Scarceili, |
| Auker, | Garlock, | McDonald, | Schaa, |
| Balthaser, | Gelfand, | McInroy, | Schuster, |
| Barton, | George, | McLaughlin, | Seltzer, |
| Bell, | Gibb, | Machmer, | Sherman, |
| Blair, | Goldstein, M. H., | Magee, | Silverman, |
| Boies, | Goodrich, | Mahan, | Snare, |
| Bonner, | Gramlich, | Markley, | Snider, |
| Boris, | Guthrie, | Maxwell, | Steckel, |
| Bower, | Hamilton, | Merry, | Stewart, |
| Branca, | Heavy, | Mihm, | Stimmel, |
| Brenninger, | Henzel, | Miller, B. Z., | Stone, |
| Breth, | Holliday, | Miller, H. G., | Stoner, |
| Buchanan, | Holt, | Mills, | Strausser, |
| Burns, | Horst, | Muldowney, | Stroup, |
| Capitolo, | Irvis, | Mullen, | Sullivan, |
| Cianfrani, | Isaacs, | Munley, | Taylor, |
| Cioffi, | Jenkins, | Murphy, P. J., | Thompson, |
| Clarke, | Jim, | Murray, H. P., | Tompkins, |
| Comer, | Johnson, A. W., | Murray, J. J., | Trusio, |
| Crossin, | Johnson, R., | Naugle, | Varallo, |
| Gurwood, | Jones, F. R., | Needham, | Verona, |
| Davis, | Jump, | Nelson, | Wall, |
| Dengler, | Kee, | O'Dell, | Wargo, |
| Dennison, | Keiser, | O'Donnell, J. A., | Weidner, |
| Devlin, | Kernaghan, | Oglvie, | Welsh, |
| Donahue, | Kessler, | O'Neil, | Wheeler, |
| Donaldson, | Knecht, | Parlante, | Williams, A. D., Jr., |
| Dougherty, | Kooker, | Pashley, | Williams, E. S., |
| Down, | Kornick, | Perry, H. H., | Willard, |
| Edwards, | Korns, | Perry, P. E., | Willaredt, |
| Eilberg, | Kovolenko, | Petrosky, | Wilt, |
| Eshback, | Kubitsky, | Polaski, | Wood, |
| Eshleman, | Lamb, | Polen, | Worley, |
| Ewing, | Lee, A. M., | Prendergast, | Yatron, |
| Fineman, | Lee, K. B., | Price, | Yetter, |
| Floyd, | Leonard, | Pursley, | Zimmerman, |
| Flynn, | Limper, | Reibman, | Andrews, |
| Foerster, | Lippincott, | Rigby, | Speaker |
| Fox, | Lopresti, | | |

NAYS—17

| | | | |
|-------------------|-------------------------|------------------|-----------------|
| Capano, | Jones, T. H. W., | Musto, | Shupnik, |
| Farabaugh, | Kamyk, | Renwick, | Stank, |
| Fetterolf, | Meholchick, | Rovansek, | Varner, |
| Filo, | Murray, P. G., | Royer, | Walsh, |
| Hocker, | | | |

NOT VOTING—23

| | | | |
|--------------------------|-------------------|----------------------------|-------------------|
| Bowman, | Heffner, | Moran, | Stevens, |
| Brown, | Helm, | Murphy, A. J., Jr., | Ujobal, |
| Cooper, | Light, | O'Donnell, J. P. | Wescott, |
| Dennis, | McCormack, | Odorisio, | Whittaker, |
| Galley, | McKeever, | Reidenbach, | Wynd, |
| Goldstein, J. H., | Monroe, | Schwartz, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1208, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034) entitled "Public Auditorium Authorities Law" increasing the number of members of the governing body of Authorities.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 18, 1959.

Resolved (The Senate Concurring), That House Bill No. 2266, Printer's No. 1366, entitled "An act amending the act of June 2, 1891 (P. L. 176), entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith,' changing the inspection period; imposing certain duties on mine inspectors, mine superintendents and foremen; requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports," which was recalled from the Governor November 16, 1959, for the purpose of amendment be returned to the Governor without amendment.

RESOLUTION

PAYMENT FOR OFFICIAL BUSINESS

Messrs. McCANN and A. W. Johnson offered a resolution which was read as follows:

In the House of Representatives, November 19, 1959.

Whereas, the increasing work of this House requires the presence of many Members at the Capitol on days when the House is not in Session, on official business, and

Whereas, those Members are put to extra expense in performance of their work, therefore be it

Resolved, that any Member who is called to the Capitol or elsewhere by the leaderships to perform services when the House is not in Session, shall be reimbursed at the rate of \$20.00 per day, plus mileage, and be it further

Resolved, that the Chief Clerk is hereby authorized to pay out of the contingent funds under his jurisdiction, for such services during this biannual session of the General Assembly on requisition of the Speaker, the Majority or Minority Leaders of this House.

On the question,

Will the House adopt the resolution?

A division was called for, more than a majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RESOLUTION

CONGRATULATIONS

Messrs. H. G. MILLER and AUKER asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, November 19, 1959.

Today marks the birthday of the Honorable Joseph R. Holliday, our distinguished colleague from Hollidaysburg,

Blair County, Mr. Holliday, who has retired from the business world, now directs his tireless and most capable energies toward the betterment of his community and State Government. Now serving his first full term in the House after having filled a vacancy which occurred during the preceding term, Mr. Holliday has proven himself to be a well qualified and devoted legislator.

The House takes this opportunity to show its appreciation and recognition of the many fine accomplishments of Representative Joseph R. Holliday and to express hope that it will have the honor and privilege of continuing its pleasant association with him for many years to come; therefore be it

Resolved, That the House of Representatives extends its heartiest congratulations to the Honorable Joseph R. Holliday upon the celebration of his birthday; and be it further

Resolved, That the Chief Clerk of the House of Representatives shall forward a copy of this resolution to the Honorable Joseph R. Holliday.

Members joined in singing "Happy Birthday," led by Mr. Dengler.

Mr. HOLLIDAY. Mr. Speaker and fellow Members of the House, I will not try to deny that this is my birthday and that I have passed a good many of them. Just how many, I will not say. However, I would like to say that the friendships and fellowships that I have acquired during this year of 1959 here in this distinguished legislative body make this a year and a day which I will long remember, and I wish to thank the Members for their tuneful greetings which they just expressed. Thank you.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1213.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has non-concurred.

Mr. McCANN. Mr. Speaker, I move that the House recede from its amendments nonconcurring in by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

| | | | |
|-------------|-------------------|-------------|------------|
| Agnew, | Frank, | Luigard, | Rovansek, |
| Anderson, | Frascella, | Lutty, | Royer, |
| Arlene, | Fulmer, | McCandless, | Rudisill, |
| Ashton, | Galley, | McCann, | Sakulsky, |
| Auker, | Gallagher, | McDonald, | Scarcelli, |
| Balthaser, | Garlock, | McInroy, | Schaaf, |
| Barton, | Gelfand, | McLaughlin, | Schuster, |
| Bell, | George, | Machmer, | Seltzer, |
| Blair, | Gibb, | Magee, | Sherman, |
| Boles, | Goldstein, M. H., | Mahan, | Shupnik, |
| Bonner, | Goodrich, | Markley, | Silverman, |
| Boris, | Gramlich, | Maxwell, | Snare, |
| Bower, | Guthrie, | Meholchick, | Snider, |
| Branca, | Hamilton, | Merry, | Stank, |
| Brenninger, | Heavey, | Mihm, | Steckel, |

Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Clanfrani,
Cioffi,
Clarke
Comer,
Crossin,
Curwood,
Davis,
Dengler,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,

Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irviss,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Jump,
Kamyk,
Kee,
Keiser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kornick,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Lopresti,

Miller, B. Z.,
Miller, H. G.,
Mills,
Muldowney,
Mullen,
Munley,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Murray, P. G.,
Musto,
Naugle,
Needham,
Nelson,
O'Dell,
O'Donnell, J. A.,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,
Riley,

Stewart,
Stimmel,
Stone,
Stoner,
Strausser,
Stroup,
Sullivan,
Taylor,
Thompson,
Tompkins,
Trusio,
Varallo,
Verner,
Verona,
Wall,
Walsh,
Wargo,
Weldner,
Welsh,
Wheeler,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wilt,
Wood,
Worley,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—22

Bowman,
Brown,
Cooper,
Dennis,
Goldstein, J. H.,
Heffner,

Helm,
Light,
McCormack,
McKeever,
Monroe,
Moran,

Murphy, A. J., Jr.
O'Donnell, J. P.
Odorisio,
Reidenbach,
Schwartz,
Stevens,
Ujohal,
Wescott,
Whittaker,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from its amendments.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

CONDOLENCE

Messrs. TOMPKINS, WHITTAKER, Mrs. DONAHUE, Messrs. E. S. WILLIAMS, KESSLER, GOODRICH, STRAUSSER and MCINROY asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, November 19, 1959.

Congressman Alvin R. Bush who represented the 17th Congressional District since 1951, died on November 5, 1959, following a heart attack.

Mr. Bush was born June 4, 1893, in Boggs Township, Clearfield County. He attended a country school until he was thirteen when necessity compelled him to work in the coal mines. In 1913 he obtained a job as a mechanic's apprentice in a Clearfield machine shop and later opened his own repair shop in Philipsburg. After the first World War in which Mr. Bush served with the Army in France, he founded a bus line in Philipsburg. In 1932 he moved to Williamsport where he and his son operated the Williamsport Transportation Company until a few years ago. In addition to his other business activities he purchased and modernized Wyno Farms where he produced one of the finest Guernsey herds in the country.

In the political field, Mr. Bush served as Lycoming County Republican Chairman from 1940 until his election to Congress ten years later. As a Congressman, Mr. Bush developed an extensive program to aid his district through Federal participation in flood control projects, highway improvement and many programs concerning agriculture.

The death of Alvin R. Bush marks the passing of an independent thinker, an honest and sincere person, a genuine friend to everyone he knew; therefore be it

Resolved, That the members of the House of Representatives of Pennsylvania extend their individual sympathy to his widow, Lucinda Bush, to his son, Alvin C. Bush and daughter, Mrs. John H. Eck and to each of the other remaining members of his family in their hour of loss; and be it further

Resolved, That a copy of this resolution be sent to his widow, Mrs. Lucinda Bush, Wyno Farms, Muncy, R. D. 2, Pennsylvania.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON SENATE BILL No. 868

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows.

SENATE BILL No. 868.

An Act amending the title and act of June 17 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on certain balances and extending the maturity limitation on loans.

Mr. McCANN. Mr. Speaker, I am going to request a recess of this House for one hour for the purpose of a Democrat caucus, and during that period I ask that the Members bring with them their House calendars and immediately come to the New House Caucus room so that we may cover the entire calendar. The sooner we do that the sooner our work will be done here today. We will get a chance to rest up a little bit.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to call a Republican caucus. Bring your calendars with you to the Republican caucus.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess for one hour.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION
RECALLING HOUSE BILL No. 998 FROM GOVERNOR

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 998, Printer's No. 1851, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed be reconsidered.

Mr. POLASKI. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Green, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Erie, Mr. Polaski vote on the final passage of this bill?

Mr. POLASKI. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Section 2 (Section 692), page 6, line 8, by striking out "and" and inserting "or."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2368 FROM GOVERNOR

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, November 19, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2368, Printer's No. 1714, for the purpose of amendment.

According, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. POLASKI. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Erie, Mr. Polaski vote on the final passage of this bill?

Mr. POLASKI. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Section 3, page 3, lines 4 and 5, by striking out "begin a term" in line 4 and all of line 5, and inserting: be elected or appointed after the effective date of this act.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION TO ADDRESS HOUSE

Mr. FOERSTER asked and obtained unanimous consent to address the House.

Mr. Speaker, the great holiday of Thanksgiving is just around the corner. I know many of us are in a quandary about what to do about one of our traditional Thanksgiving day dishes, cranberries.

Dr. Fleming of the United States Public Health Service has been going around the country pointing out the dangers in some of our cranberry crops. I have just learned that many of us, including myself, will be afraid to eat any cranberries on Thanksgiving, but now I see we have an expert in the House, one of our colleagues, Mr. Frank from Lehigh, who, I noticed in the House history of February 25, 1959, introduced a resolution called the "Cranberry Crusade."

This resolution states that he urges all restaurants serve larger portions of cranberries for their nutritive value.

I would like at this time to interrogate the gentleman from Lehigh, Mr. Frank, my expert on cranberries.

The SPEAKER pro tempore. Will the gentleman from Lehigh, Mr. Frank, permit himself to be interrogated?

Mr. FRANK. I shall, Mr. Speaker.

Mr. FOERSTER. Mr. Speaker, I would like to know how we are going to determine the fitness of these cranberries for consumption. Are we going to use some sort of a filter tip like the thinking man's cigarette?

Mr. FRANK. I would like to tell you, if you say you want to see some specimens, I happen to be a specimen. I have been eating cranberries for years. What I have here is not just cranberries, either.

Mr. FOERSTER. Mr. Speaker, is that a recommendation or a condemnation?

Mr. FRANK. A good recommendation.

Mr. FOERSTER. Mr. Speaker, is the gentleman at this time making any effort to amend this resolution which is now in the Committee on Rules to rule out the possibility of contaminated cranberries?

Mr. FRANK. No, I am not. After all, that is more of a Federal proposition than of the state of Pennsylvania.

Mr. FOERSTER. Are you still serious about your resolution? Are you still trying to get it out of the Committee on Rules?

Mr. FRANK. I would like to get it out of the Committee on Rules.

Mr. FOERSTER. Are you going to introduce a discharge resolution to that effect, so we can eat our cranberries on Thanksgiving?

Mr. FRANK. I have more lawyers around giving me advice than I can hear.

Mr. FOERSTER. Mr. Speaker, I notice that part of the resolution in urging restaurants to serve larger portions of cranberries is to enhance the nutritive value of the meals. Now are you still serious about this resolution?

Mr. FRANK. I am very serious about that resolution. After all, we have had cranberries for a good many years. All of a sudden the Federal government wakes up and tells us that cranberries are contagious and would develop into cancer. You could contact some of the greatest doctors in the world and they will tell you that cancer does not start from cranberries.

Mr. FOERSTER. I thank the gentleman, Mr. Speaker.

Mr. FRANK. Before I sit down I would like to tell you in Lehigh County the word "grumberries" means potatoes also.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 379

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 379.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 379, entitled: "An act amending the act of May 27, 1949 (P. L. 1903), entitled: "An act providing for powers responsibilities duties and limitations of the Governor, Adjutant General, Department of Military Affairs Pennsylvania State Armory Board, Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization, powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

Respectfully submit the following bill as our report:

SAMUEL B. WOLFE
ERNEST F. WALKER
PAUL W. MAHADY
(Committee on the part of the Senate)

MICHAEL J. NEEDHAM
FRANK P. CROSSIN
CHARLES A. AUKER
(Committee on the part of the House of Representatives.)

An Act amending the act of May 27, 1949 (P. L. 1903), entitled "An act providing for powers responsibilities duties and limitations of the Governor Adjutant General Department of Military Affairs Pennsylvania State Armory Board Military Reservation Commission in connection with the armed Military and Naval forces and the internal security of the Commonwealth for the definition organization powers and limitations of the unorganized militia Pennsylvania National Guard Pennsylvania Guard Naval Militia Pennsylvania Naval Militia and for coordination with the government of the United States in the organization and functioning of the Pennsylvania National Guard and the National Guard of the United States apportioned the Commonwealth," providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1, Section 836, act of May 27, 1949 (P. L. 1903), known as "The Military Code of 1949," is amended to read:

Section 836. Retirement of Commissioned Officers. Commissioned officers of the Pennsylvania National Guard or Pennsylvania Guard who have served in the Pennsylvania National Guard, Pennsylvania National Guard Reserve or Pennsylvania Guard, or all three whether as an enlisted man or officer for a period of twenty-five or more years, shall upon application made to the Adjutant General be retired and promoted to the next higher grade, provided he has served at least a period of one year in his highest grade while on the active list, otherwise, he shall be placed on the retired list at the highest grade held during his service. Provided further, That the Adjutant General furnish such officer a commission of new grade upon promotion following retirement. A commissioned officer of the Pennsylvania National Guard who has served in the Pennsylvania National Guard, Pennsylvania National Guard Reserve or Pennsylvania Guard or all three, whether as an enlisted man or officer for a period of twenty years, shall upon application made to the Adjutant General be placed on the retired list in the highest grade held during said active service. Provided, however, That in considering the period of service aforesaid the military service of such commissioned officer in the Pennsylvania National Guard engaged in the service of the United States or service in the United States Army, Navy or Marine Corps Army of the United States or Coast Guard shall be included and counted double in calculating the period of service for retirement or retirement with increased grade under the provisions of this section. Any person (i) who has served at least twenty years as a commissioned officer of the Pennsylvania National Guard and has attained the grade of Colonel and who in addition thereto has served in the United States Army or Navy or the United States Army Reserves or Navy Reserves or any two or more of them for such additional period to bring his total active and reserve service including service in the Pennsylvania National Guard to a total of thirty-five years and who while on active duty in time of war has served as a District Commander for a period of at least two years or (ii) who has served and attained the grade of colonel in the Army of the United States and who has had a total active and reserve service of thirty-five years and who is and was during his total service a citizen of this Commonwealth shall upon application made to the Adjutant General be placed upon the retired list as of the grade of Brigadier General. The Provisions of retirement with increased rank shall be applicable when qualified to officer retired prior to passage of this act. Provided further, That the provisions of this act shall apply to deceased officers on the retired list upon proper application to the Adjutant General by some duly recognized veteran organization.

All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military and semi-military occasions.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee on Conference on Senate Bill No. 379.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Lutty, | Royer, |
| Anderson, | Fulmer, | McCandless, | Rudisill, |
| Arlene, | Galley, | McCann, | Sakulsky, |
| Ashton, | Gallagher, | McDonald, | Searcell, |
| Auker, | Garlock, | McInroy, | Schaaf, |
| Balthaser, | Gelfand, | McLaughlin, | Schuster, |
| Barton, | George, | Machmer, | Seltzer, |
| Bell, | Gibb, | Magee, | Sherman, |
| Blair, | Goldstein, M. H., | Mahan, | Silverman, |
| Boles, | Goodrich, | Markley, | Snare, |
| Bonner, | Gramlich, | Maxwell, | Snider, |
| Boris, | Hamilton, | Meholchick, | Stank, |
| Bower, | Heavey, | Merry, | Steckel, |
| Bowman, | Heffner, | Mihm, | Stewart, |
| Branca, | Henzel, | Miller, B. Z., | Stimmel, |
| Breth, | Hocker, | Miller, H. G., | Stone, |
| Buchanan, | Holliday, | Mills, | Stoner, |
| Burns, | Holt, | Muldowney, | Strausser, |
| Capano, | Horst, | Mullen, | Stroup, |
| Capitolo, | Irvie, | Murphy, P. J., | Sullivan, |
| Cianfrani, | Isaacs, | Murray, H. P., | Taylor, |
| Cioffi, | Jenkins, | Murray, J. J., | Thompson, |
| Clarke, | Jim, | Murray, P. G., | Tompkins, |
| Comer, | Johnson, A. W., | Musto, | Trusio, |
| Crossin, | Johnson, R., | Nagle, | Ujbal, |
| Curwood, | Jones, F. R., | Needham, | Varallo, |
| Davis, | Jump, | Nelson, | Varnier, |
| Dengler, | Kamyk, | O'Dell, | Verona, |
| Dennison, | Kee, | O'Donnell, J. A., | Wall, |
| Devlin, | Kelser, | Ogilvie, | Walsh, |
| Donahue, | Kernaghan, | O'Neil, | Weidner, |
| Donaldson, | Kessler, | Parlante, | Welsh, |
| Dougherty, | Knecht, | Pashley, | Wescott, |
| Down, | Kooker, | Perry, H. H., | Wheeler, |
| Edwards, | Kornick, | Perry, P. E., | Williams, A.D., Jr., |
| Ellberg, | Korns, | Petrosky, | Williams, E. S., |
| Eshback, | Kovolenko, | Polaski, | Willard, |
| Eshleman, | Kubitsky, | Polen, | Willaredt, |
| Ewing, | Lamb, | Prendergast, | Wilt, |
| Farabaugh, | Lee, A. M., | Price, | Wood, |
| Filo, | Lee, K. B., | Pursley, | Worley, |
| Fineman, | Leonard, | Reibman, | Wynd, |
| Floyd, | Limper, | Renwick, | Yatron, |
| Flynn, | Lippincott, | Rigby, | Yetter, |
| Foerster, | Lopresti, | Riley, | Zimmerman, |
| Fox, | Luigard, | Rovansek, | Andrews, |
| Frank, | | | Speaker |

NAYS—3

Munley, Shupnik, Wargo,

NOT VOTING—21

| | | | |
|-------------------|------------------|--------------------|-------------|
| Brenninger, | Guthrie, | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reldenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A.J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | Whittaker, |
| Goldstein, J. H., | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER pro tempore. The Chair would announce that in the report of the Committee of Conference on House Bill 623 adopted yesterday there was a Printer's error, and, for the information of the Members and for the record, the report carried the name of the sponsor of the bill instead of the gentleman from Philadelphia, Mr. Fineman, who actually signed the official report and who was a Member of the Conference Committee. This is just for the record.

REPORT OF COMMITTEE OF CONFERENCE
ON SENATE BILL No. 868

Mr. McCANN. Mr. Speaker, I call up the report the Committee of Conference on Senate Bill No. 868.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 868, entitled: "An act amending the title and act of June 17, 1915 (P. L. 1012) entitled as amended 'An act regulating the business of loaning money in sums of six hundred (\$600) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act' increasing the maximum loan to eight hundred (\$800) dollars and extending the maturity limitation on the loans."

Respectfully submit the following bill as our report:

HENRY J. PROPERT
A. R. PECHAN
MARTIN SILVERT
(Committee on the part of the Senate.)

HARRY A. NAUGLE
JOHN H. DEVLIN
THOMAS A. FRASCELLA

(Committee on the part of the House of Representatives.)

An Act amending the title and act of June 17, 1915 (P. L. 1012) entitled as amended "An act regulating the business of loaning money in sums of six hundred (\$600) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on certain balances and extending the maturity limitation on loans.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1 The title the first paragraph of section 1 and sections 2 and 6 act of June 17 1915 (P. L. 1012) entitled as amended "An act regulating the business of loaning money in sums of six hundred (\$600) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" amended June 2, 1953 (P. L. 262) are amended to read.

An Act regulating the business of loaning money in sums of [six hundred (\$600)] eight hundred (\$800) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act.

Section 1. Be it enacted &c That on and after the passage of this act it shall be unlawful for any persons partnership association or corporation within this Commonwealth to make a loan of money credit goods or things in action in the amount or of the value of [six hundred (\$600)] eight hundred (\$800) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities and contract for or receive on any such loan a rate of interest discount fines charges or consideration greater than six per centum (6%) per annum without first obtaining a license from the Secretary of Banking in Accordance with the provisions of this act.

Section 2 Any person persons copartnership association or corporation who shall obtain a license in accord-

ance with the provisions of section one of this act shall be entitled to loan money with the provisions of section one of this act shall be entitled to loan money in sums of [six hundred (\$600)] eight hundred (\$800) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities at his their or its place of business for which said license is issued and to charge the borrowers thereof for its use or loan interest at a rate not to exceed three (3) per centum per month on that part of the unpaid principal balance of any loan not in excess of one hundred and fifty (\$150) dollars and two (2) per centum per month on that part of the unpaid principal balance of any loan in excess of one hundred fifty (\$150) dollars but not in excess of three hundred (\$300) dollars and [one (1)] one and one-half (1½) per centum per month on that part of the unpaid principal balance of any loan in excess of three hundred (\$300) dollars but not in excess of six hundred (\$600) dollars and one (1) per centum per month on any remainder of such unpaid principal balance. In the case of loans made upon the security of tangible personal property physical possession of which is taken by the licensee the licensee shall not charge interest at a rate in excess of such rates as are provided for by the act approved the sixth day of April one thousand nine hundred and thirty-seven Number 51 (Pamphlet Laws 200) for loans of similar character or the rates provided by this act whichever are the lower. Provided however That in no event shall the rates charged exceed the rates provided by this act No licensee shall induce or permit any borrower to split up or divide any loan No licensee shall induce or permit any person nor any husband and wife jointly or severally to become obligated directly or contingently or both under more than one contract of loan at the same time for the purpose or with the result of obtaining a higher rate of interest than would otherwise be permitted by this section. No fees fines or other charges either in addition to or as a part of the above specified interest shall be charged or collected under any pretext whatsoever.

A contract for a loan under the provisions of this act shall not be made for a period in excess of [twenty-four (24)] thirty (30) months. Interest on any unpaid balances after [twenty-four (24)] thirty (30) months shall be payable at the rate of six (6%) per centum per annum. Interest shall not be payable in advance or compounded and shall be computed only on unpaid balances for the time that has lapsed at date of payment. Whenever a judgment is entered after the enactment of this act following the expiration of contracts made prior to the enactment of this interest shall be computed at the rate of six (6%) per centum per annum. If interest in excess of that hereinbefore prescribed shall be received by any licensee the said licensee shall thereupon lose all his right to collect or receive the interest allowed under this act and shall be entitled to recover from the borrower only the amount actually loaned together with interest at the rate of six per centum per annum upon unpaid balances less any and all amounts already paid by the borrower on account of said loan either as principal or interest. Any person borrowing money from any licensee under this act who shall be charged and pay any interest in excess of that prescribed and allowed by the provisions of this act shall be entitled to recover back from the lender by action at law begun at any time within two years from the date of the last payment any and all sums of money so charged and paid in excess of the amount of the original loan together with interest at the rate of six per centum per annum upon unpaid balances up to the date of final payment of said loan and in addition fifty (\$50) dollars as a penalty to be paid to the borrower.

Section 6. A. Every person copartnership association or corporation licensed under this act or any partner director officer agent or member thereof who shall violate any provision of this act or shall direct or consent to such violation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred (\$500) dollars for the first offense and for each subsequent offense a like fine and to suffer

imprisonment not to exceed six months or both in the discretion of the court.

B. Every person copartnership association or corporation or any partner director officer agent or member thereof who shall directly or indirectly as principal agent or broker by any device subterfuge or pretense whatsoever charge contract for or receive any interest discount fees fines charges or consideration greater than six per centum (6%) per annum upon the loan use or forbearance of money goods or things in action or upon the loan use or sale of credit of the amount or value of [six hundred (\$600)] eight hundred (\$800) dollars or less without having obtained a license under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred (\$500) dollars or more than five thousand (\$5,000) dollars or to suffer imprisonment of not less than six (6) months or more than three (3) years or both at the discretion of the court.

(C) No loan of the amount or value of [six hundred (\$600)] eight hundred (\$800) dollars or less for which interest discount fees charges or consideration greater than six per centum (6%) per annum has been charged contracted for or received except as authorized by this act wherever made shall be enforced in this Commonwealth and the borrower shall not be required to pay any principal interest or charges whatsoever. This provision shall not apply to loans legally made in any state which then has in effect a regulatory small loan law similar in principal to this act.

D. The payment of [six hundred (\$600)] eight hundred (\$800) dollars or less in money credit goods or things in action as consideration for any sale or assignment of or order for the payment of wages salary commissions or other compensation for services whether earned or to be earned shall for the purposes of regulation under this act be deemed a loan secured by such assignment and the amount by which such assigned compensation exceeds the amount of such consideration actually paid shall for the purpose of regulation under this act be deemed interest or charges upon such loan from the date of such payment to the date such compensation is payable. Such transactions shall be governed by and subject to the provisions of this act.

E. The payment of [six hundred (\$600)] eight hundred (\$800) dollars or less in money credit goods or things in action as consideration for any sale of real or personal property which is made on condition or agreement expressed or implied that such property be sold back at a greater price shall for the purpose of this act be deemed to be a loan secured by such original purchase price actually paid shall be deemed interest or charges upon such loan from the date such original payment is made until the date such repurchase price is paid. Such transaction shall be governed by and subject to the provisions of this act.

F. When real or personal property is pledged as security on a loan of [six hundred (\$600)] eight hundred (\$800) dollars or less such charge for insurance shall be construed as interest under this act when the lender has failed to have such insurance written by an insurance company legally authorized to conduct business in Pennsylvania. When the amount charged for such insurance is in excess of the standard cost of similar insurance in other insurance companies legally authorized to conduct business in Pennsylvania the excess shall be construed as interest under this act.

Section 2. The provisions of this act shall become effective thirty days after final enactment.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee on Conference on Senate Bill No. 868.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Fulmer, | McCann, | Rudisill, |
| Anderson, | Galley, | McDonald, | Sakulsky, |
| Arlene, | Gallagher, | McInroy, | Scarcelli, |
| Ashton, | Garlock, | McLaughlin, | Schaaf, |
| Auker, | Gelfand, | Machmer, | Schuster, |
| Balthaser, | George, | Magee, | Seltzer, |
| Barton, | Gibb, | Mahan, | Sherman, |
| Bell, | Goldstein, M. H., | Markley, | Shupnik, |
| Blair, | Goodrich, | Maxwell, | Silverman, |
| Boles, | Gramlich, | Meholchick, | Snare, |
| Bonner, | Hamilton, | Merry, | Snider, |
| Boris, | Heavey, | Mihm, | Stank, |
| Bower, | Hefner, | Miller, B. Z., | Steckel, |
| Bowman, | Henzel, | Miller, H. G., | Stewart, |
| Branca, | Hocker, | Mills, | Stimmel, |
| Breth, | Holliday, | Muldowney, | Stone, |
| Buchanan, | Holt, | Mullen, | Stoner, |
| Burns, | Horst, | Munley, | Strausser, |
| Capano, | Irvis, | Murphy, P. J., | Stroup, |
| Capitolo, | Isaacs, | Murray, H. P., | Sullivan, |
| Cianfrani, | Jenkins, | Murray, J. J., | Taylor, |
| Cioffi, | Jim, | Murray, P. G., | Thompson, |
| Clarke, | Johnson, A. W., | Musto, | Tompkins, |
| Comer, | Johnson, R., | Naugle, | Truslo, |
| Crossin, | Jones, F. R., | Needham, | Ujobal, |
| Curwood, | Jump, | Nelson, | Varallo, |
| Davis, | Kamyk, | O'Dell, | Varnier, |
| Dengler, | Kee, | O'Donnell, J. A., | Verona, |
| Dennison, | Kelser, | Ogilvie, | Wall, |
| Devlin, | Kernaghan, | O'Neil, | Wargo, |
| Donahue, | Kessler, | Parlante, | Weidner, |
| Donaldson, | Knecht, | Pashley, | Welsh, |
| Dougherty, | Kooker, | Perry, H. H., | Wescott, |
| Down, | Kornick, | Perry, P. E., | Wheeler, |
| Edwards, | Korns, | Petrosky, | Williams, A.D., Jr., |
| Ellberg, | Kovolenko, | Polaski, | Williams, E. S., |
| Eshback, | Kubitsky, | Polen, | Willard, |
| Eshleman, | Lamb, | Prendergast, | Willaredt, |
| Ewing, | Lee, K. B., | Price, | Wilt, |
| Farabaugh, | Leonard, | Pursley, | Wood, |
| Filo, | Limper, | Reibman, | Wynd, |
| Fineman, | Lippincott, | Renwick, | Yatron, |
| Floyd, | Lopresti, | Rigby, | Yetter, |
| Flynn, | Luigard, | Riley, | Zimmerman, |
| Fox, | Lutty, | Rovansek, | Andrews, |
| Frank, | McCandless, | Royer, | Speaker |
| Frascella, | | | |

NAYS—4

| | | | |
|-----------|-------------|--------|---------|
| Foerster, | Lee, A. M., | Walsh, | Worley, |
|-----------|-------------|--------|---------|

NOT VOTING—21

| | | | |
|-------------------|------------------|--------------------|-------------|
| Brenninger, | Guthrie, | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A.J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. F., | Whittaker, |
| Goldstein, J. H., | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 505

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 505.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 505, entitled: "An Act amending the act of August 24, 1951 (P. L. 1304) entitled 'An act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or

joint-county departments of health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class' extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain departments of health."

Respectfully submit the following bill as our report:

ROBERT D. FLEMING,
A. R. PECHAN,
CHARLES R. WEINER,
(Committee on the part of the Senate.)

J. DEAN POLEN,
STEPHEN McCANN,
EDWIN W. TOMPKINS,
(Committee on the part of the House of Representatives.)

An Act amending the act of August 24, 1951 (P. L. 1304) entitled "An act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements conferring powers and duties upon the State Department of Health in connection with the creation establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class" extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain Departments of Health.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and subsection (a) of section 3, act of August 24, 1951 (P. L. 1304) known as the "Local Health Administration Law" are amended to read.

An Act to improve local health administration throughout the Commonwealth by authorizing the creation establishment and administration of single-county or joint-county departments of health in all counties except counties of the first class, exempting certain municipalities from the jurisdiction of single-county or joint-county departments of health permitting the dissolution of departments or boards of health in certain municipalities, authorizing State grants to counties which establish departments of health and to certain municipalities if they meet prescribed requirements, conferring powers and duties upon the State Department of Health in connection with the creation, establishment and administration of single-county or joint-county departments of health and administration of the health laws in parts of certain municipalities not subject to the jurisdiction of single-county or joint-county departments of health and the administration of State grants and repealing an act which confers health powers upon counties of the first class.

Section 3. Definitions: The following terms whenever used in this act have the meanings indicated in this sec-

tion except where the context indicates a clearly different meaning.

(a) "County" Any county of the first, second, third, fourth, fifth, sixth, seventh and eighth class.

Section 2. The act is amended by adding after section 5 a new section to read.

Section 5.1. Dissolution of and Withdrawal From County Departments of Health.

(a) When a single-county department of health is created it may be dissolved by a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.

(b) When a joint-county department of health is created any county being a member thereof may withdraw from the department by conducting a referendum conducted in accordance with the procedure set forth in subsection (c) hereof.

(c) A petition requesting the dissolution or withdrawal shall be signed by qualified electors of the county equal in number to at least one per centum (1%) of the highest total vote cast for any county office at the last municipal election, the petition shall be in the form required for nomination, petitions by the election laws of the Commonwealth except that the said petition shall be circulated no earlier, than five years following the date of establishment of said county health department or joint-county health department and shall be circulated for not more than six (6) months prior to the last filing day which shall be ninety (90) days before the general or municipal election at which it is desired to submit the question. The petition shall be filed with the county board of elections and the validity of the petition and any objections thereto shall be determined in accordance with the election laws of the Commonwealth.

After the validity of the petitions in all the counties affected has been determined, the county commissioners shall cause the question to be submitted at the next general or municipal election whichever is sooner so long as such election is to occur at least thirty (30) days after the validity has been determined, the question shall be submitted on the ballot or on voting machines in the manner provided by the election laws of the Commonwealth and shall be in substantially the following forms:

(1) For the dissolution of a single-county department of health

ShallCounty dissolve
its county department of health
Yes
No

(2) For the withdrawal from a joint-county department of health

ShallCounty withdraw
from the joint-county department of health
Yes
No

The election on this question shall be governed in all respects by the election laws of the Commonwealth insofar as they are applicable. For the dissolution of a single-county department of health or withdrawal from a joint-county department of health a majority of all votes cast in each county upon the question must be in favor thereof.

(d) When in the case of a single-county department the voters elect to dissolve the department or in the case of a joint-county department the voters elect to withdraw, no new department of health may be created by resolution nor may the commissioners resolve to join with another county or other counties to create a joint department within five years of such dissolution.

Section 3. Section 15 of the act is amended by adding after subsection (d) a new subsection to read.

Section 15. Procedure by Which Exempt Municipalities May Become Subject to Jurisdiction of County Department of Health Eligibility for State Grants.

(e) Any municipality located in a county of the first class having a department or board of health may receive State grants as provided in section 25 of this act.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the Majority Leader consent to be interrogated?

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. M. H. GOLDSTEIN. Mr. Speaker, referring to the amendments put in by the Senate and substantially concurred in by the Conference Report, do they mean the County Health Department must be in existence for a period of five years and after the five-year period has elapsed then by referendum the County Health Department can be eliminated?

Mr. McCANN. Mr. Speaker, as an example, suppose the county health plan had been put in operation in 1957; then five years later, or in 1962, provided one percent of the citizens petitioned the election board, it could be placed on the ballot to be voted on whether to remain a part of this plan, to withdraw, or as the other part of the amendment indicates.

Mr. M. H. GOLDSTEIN. Thank you.

Mr. Speaker, this bill, when it originated in the House was an appropriation measure. The addition of the provision for a referendum is not an appropriate rider to an appropriation measure. For that reason we intend to vote against the bill.

We received telegrams from the Allegheny County Medical Society indicating its opposition to the passage of this report in its present form.

Another reason why this bill should not be passed is this: If the Allegheny County Health Department is in existence for five years, and then one percent of the voting population decides to have a referendum, and should it be approved, tell me how you can unscramble the eggs and return the county health department to scores of other local areas which have had them heretofore? For the more important reason that the rider should never have been attached to the appropriation measure, we oppose this particular measure and ask for a slow roll call.

Mr. DONALDSON. Mr. Speaker, we—the editorial "we"—seem to be having a little trouble in Allegheny County this week.

I hate to do this, but I must disagree with my colleague, the gentleman from Allegheny, Mr. Goldstein. I feel that the addition of the referendum amendment to this bill is a good addition, and makes a better bill. I think the bill as it recently passed is a good bill in doing for Philadelphia what every other county is entitled to have, but the original county health department bill provided the option of establishing them either by referendum or by action of the county commissioners without referendum.

I think then that adding the further option of abolishing the units if they prove unsatisfactory either by action of the board of commissioners or by referendum, is in keeping with the original act and therefore is a good addition. As I said, the editorial "we" does not include the present speaker at this time, anyhow.

Mr. McCANN. Mr. Speaker, the report of the Committee of Conference on House Bill 505 is not an appropriation bill.

To begin with this is an amendment to the local county health law. If you will look at the report you will see that the basic amendment which we agreed to in the Conference Committee at the time we were dealing with

appropriations, dealt with, on page 5, inserting any county of the first class. The present law was second, counties. In a Conference Committee agreement on the appropriation, in placing in the appropriation bill the sum of \$3.3 million as was agreed for the Philadelphia County health plan, this bill had to be amended to give them that right so that the money could be properly handled under this law.

I do not mind saying that basically I feel there should not have been any additional amendments to the bill, other than permitting the counties of the first class to be a part of it. But since these amendments have been placed in it, and this is the best that can be agreed to, to secure the passage of this bill I ask that the Members support this measure and adopt this Conference Committee Report on House Bill 505.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-----------------|-------------------|------------------|
| Agnew, | Fulmer, | Mahan, | Schaaf, |
| Anderson, | Galley, | Markley, | Seltzer, |
| Arlene, | Gallagher, | Maxwell, | Sherman, |
| Ashton, | Gelfand, | Meholchick, | Shupnik, |
| Auker, | George, | Merry, | Silverman, |
| Balthaser, | Gibb, | Miller, B. Z., | Snare, |
| Barton, | Goodrich, | Miller, H. G., | Snider, |
| Bell, | Gramlich, | Mills, | Stank, |
| Blair, | Hamilton, | Muldowney, | Steckel, |
| Bonner, | Heavey, | Mullen, | Stewart, |
| Boris, | Hefner, | Munley, | Stimmel, |
| Bower, | Henzel, | Murphy, P. J., | Stone, |
| Bowman, | Holliday, | Murray, H. P., | Stoner, |
| Branca, | Holt, | Murray, J. J., | Strausser, |
| Breth, | Horst, | Murray, P. G., | Stroup, |
| Buchanan, | Isaacs, | Musto, | Sullivan, |
| Burns, | Jim, | Naugle, | Taylor, |
| Capano, | Johnson, A. W., | Needham, | Tompkins, |
| Capitolo, | Johnson, R., | Nelson, | Trusio, |
| Cianfrani, | Jones, F. R., | O'Dell, | Ujohal, |
| Cioffi, | Jump, | O'Donnell, J. A., | Varallo, |
| Comer, | Kee, | Ogilvie, | Varner, |
| Crossin, | Kelser, | O'Neill, | Verona, |
| Curwood, | Kernaghan, | Parlante, | Wall, |
| Davis, | Kessler, | Pashley, | Walsh, |
| Dengler, | Knecht, | Perry, H. H., | Wargo, |
| Dennison, | Kornick, | Perry, P. E., | Weidner, |
| Donahue, | Korna, | Petrosky, | Welsh, |
| Donaldson, | Kovolenko, | Polaski, | Wescott, |
| Dougherty, | Kubitsky, | Polen, | Wheeler, |
| Down, | Lee, A. M., | Prendergast, | Williams, E. S., |
| Edwards, | Lee, K. B., | Price, | Willard, |
| Ellberg, | Limper, | Pursley, | Willaredt, |
| Eshback, | Lippincott, | Reibman, | Wilt, |
| Eshleman, | Lopresti, | Renwick, | Wood, |
| Farabaugh, | Luigard, | Rigby, | Worley, |
| Fineman, | McCandless, | Riley, | Wynd, |
| Floyd, | McCann, | Rovasek, | Yatron, |
| Flynn, | McDonald, | Royer, | Yetter, |
| Fox, | McInroy, | Rudisill, | Zimmerman, |
| Frank, | Machmer, | Sakulsky, | Andrews, |
| Frascella, | Magee, | Scarcelli, | Speaker |

NAYS—21

| | | | |
|---------|-------------------|----------|----------------------|
| Boles, | Garlock, | Kamyk, | McLaughlin, |
| Clarke, | Goldstein, M. H., | Kooker, | Mihm, |
| Devlin, | Hocker, | Lamb, | Schuster, |
| Ewing, | Irviss, | Leonard, | Thompson, |
| Filo, | Jenkins, | Lutty, | Williams, A.D., Jr., |

NOT VOTING—21

| | | | |
|-------------------|------------------|---------------------|-------------|
| Brenninger, | Guthrie, | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Ocooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | Whittaker, |
| Goldstein, J. H., | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. FOERSTER filed the following reasons for his vote on the Conference Report on House Bill No. 505.

Opposition to county health departments dies hard in Pennsylvania. The legislative snipers are busy again in Harrisburg, attempting to open the way to constant harassment of health departments through public referendums.

This would be accomplished through a rider attached to a bill giving the Philadelphia Health Department the same subsidy of 75 cents per capita received by county health departments in Allegheny, Bucks, Butler and Erie Counties.

Philadelphia has not been receiving this subsidy because its department was set up prior to the enactment of Local Health Administration Law of 1951, which made provision for the subsidy in lieu of direct state services.

It is only fair that Philadelphia should receive the same payments made to other county health departments. The amount of subsidy due Philadelphia—\$3,300,000 a year—was agreed upon and included in the recently approved general appropriations bill. Before the money can be paid, however, it is necessary to pass an authorization bill. That was done by the House but when the measure hit the Senate, a rider was attached permitting a referendum to abolish county health units upon petition of only one percent of the voters at a prior election.

If that measure passed, county health units could be subjected to persistent political harassment. Public health officials would always be on the defensive. Lack of stability would demoralize departments and prevent the recruitment of qualified personnel.

While the danger to a department which has functioned as long as that in Allegheny County probably would not be great, this technique of harassment could discourage the creation of new county health departments. And this, of course, is precisely what the farm lobby and certain township officials have in mind. They have never reconciled themselves to the acceptance of county health units, seeing in these organizations threats to their own ways of doing business.

We feel that the opponents of county health units have always been wrong. They shouldn't be permitted to sneak this rider in on the Philadelphia bill in the waning days of the session.

Even if their motives were commendable, which they aren't, this isn't the proper way to legislate. The proper way would be to conduct hearings, give interested parties an opportunity to express their views and, in general, show the sort of responsibility expected of representative government. The amendment should be rejected and Philadelphia should be given its money.

REASONS FOR VOTE

Mrs. M. S. KOOKER filed the following reasons for her vote on House Bill 505:

I had to vote against this Conference Committee Re-

port although I favor allowing Philadelphia the right to participate in the County Health Program.

We in Bucks County are generally satisfied with the program though we at times question some expenditures. I fear that allowing one percent of the population to petition for the end of the Health Program will make this fine program a political football.

REASONS FOR VOTE

Mr. A. D. WILLIAMS, Jr., filed the following reasons for his vote on House Bill No. 505:

I had to vote against this Conference Committee Report although I favor allowing Philadelphia the right to participate in the County Health Program.

We in Bucks County are generally satisfied with the program though we at times question some expenditures. I fear that allowing one percent of the population to petition for the end of the Health Program will make this fine program a political football.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2218

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2218.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2218, entitled: "An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth."

Respectfully submit the following bill as our report.

ROBERT D. FLEMING,
HENRY J. PROPERT,
FRED B. ROONEY,
(Committee on the part of the Senate.)

J. DEAN POLEN,
JEANETTE F. REIBMAN,
EDWIN W. TOMPKINS,

(Committee on the part of the House of Representatives.)

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. All revenues recived by the Commonwealth payable into the General Fund during the fiscal biennium beginning June 1, 1959 in excess of five million dollars (\$5,000,000) over the aggregate amount heretofore appropriated by the General Assembly for all General Fund purposes and executive authorization made according to law shall be applied and are hereby appropriated for the reduction of the bonded indebtedness of the Commonwealth.

Such excess revenues shall be applied as nearly as possible in equal proportions to the various sinking funds created for the reduction of said indebtedness.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 2218.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Sakulsky, |
| Anderson, | Galley, | McDonald, | Scarcelli, |
| Arlene, | Gallagher, | McInroy, | Schaaf, |
| Ashton, | Garlock, | McLaughlin, | Schuster, |
| Auker, | Gelfand, | Machmer, | Seltzer, |
| Balthaser, | George, | Magee, | Sherman, |
| Barton, | Gibb, | Mahan, | Shupnik, |
| Bell, | Goldstein, M. H., | Markley, | Silverman, |
| Blair, | Goodrich, | Maxwell, | Snare, |
| Boles, | Gramlich, | Meholchick, | Snider, |
| Bonner, | Hamilton, | Merry, | Stank, |
| Boris, | Heavey, | Mihm, | Steckel, |
| Bower, | Heffner, | Miller, B. Z., | Stewart, |
| Bowman, | Henzel, | Miller, R. G., | Stimmel, |
| Branca, | Hocker, | Mills, | Stone, |
| Breth, | Holliday, | Muldowney, | Stoner, |
| Buchanan, | Holt, | Mullen, | Strausser, |
| Burns, | Horst, | Munley, | Stroup, |
| Capano, | Irviss, | Murphy, P. J., | Sullivan, |
| Capitolo, | Isaacs, | Murray, H. P., | Taylor, |
| Cianfrani, | Jenkins, | Murray, J. J., | Thompson, |
| Cioffi, | Jim, | Murray, P. G., | Tompkins, |
| Clarke, | Johnson, A. W., | Musto, | Trusio, |
| Comer, | Johnson, R., | Naugle, | Ujobai, |
| Crossin, | Jones, F. R., | Needham, | Varallo, |
| Curwood, | Jump, | Nelson, | Varner, |
| Davis, | Kamyk, | O'Dell, | Verona, |
| Dengler, | Kee, | O'Donnell, J. A., | Wall, |
| Dennison, | Kelser, | Ogilvie, | Walsh, |
| Devlin, | Kernaghan, | O'Neil, | Wargo, |
| Donahue, | Kessler, | Parlante, | Weidner, |
| Donaldson, | Knecht, | Pashley, | Welsh, |
| Dougherty, | Kooker, | Perry, H. H., | Wescott, |
| Down, | Kornick, | Perry, P. E., | Wheeler, |
| Edwards, | Korna, | Petrosky, | Williams, A. D., Jr., |
| Ellberg, | Kovolenko, | Polaski, | Williams, E. S., |
| Eshback, | Kubitsky, | Polen, | Willard, |
| Eshleman, | Lamb, | Prendergast, | Willaredt, |
| Ewing, | Lee, A. M., | Price, | Wilt, |
| Farabaugh, | Lee, K. B., | Pursley, | Wood, |
| Filo, | Leonard, | Rebman, | Worley, |
| Fineman, | Limper, | Renwick, | Wynd, |
| Floyd, | Lippincott, | Rigby, | Yatron, |
| Flynn, | Lopresti, | Riley, | Yetter, |
| Foerster, | Lulgard, | Rovansek, | Zimmerman, |
| Fox, | Lutty, | Royer, | Andrews, |
| Frank, | McCandless, | Rudisill, | Speaker |
| Frascella, | | | |

NAYS—0

NOT VOTING—21

| | | | |
|-------------------|------------------|--------------------|-------------|
| Brenninger, | Guthrie, | McKeever, | Odoriso, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr. | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P. | Whittaker, |
| Goldstein, J. H., | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2324.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2324, entitled: "An

Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals."

Respectfully submit the following bill as our report:

EDWARD J. KESSLER
ROBERT D. FLEMING
CHARLES R. WEINER
(Committee on the part of the Senate.)

J. DEAN POLEN
STEPHEN McCANN
EDWIN W. TOMPKINS

(Committee on the part of the House of Representatives.)

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The sum of twenty-eight million dollars (\$28,000,000) or as much thereof as is necessary is appropriated to the Department of Public Welfare for the two fiscal years, beginning June 1, 1959, to be by it paid to the hospitals, hereinafter, designated in the amounts hereinafter specified for the purpose of the maintenance of such hospitals in accordance with the rules and regulations issued by the Department of Public Welfare and the Department of the Auditor General as prescribed by law at the rate of ten dollars (\$10) per diem but not to exceed the regularly established ward rate, nursery rate, pediatric rate or any lesser rate contracted between the hospital and patient for the medical and surgical services rendered to and maintenance of persons treated in the hospital who are entitled to free service such rates to include only room, board and general bed care but not to exceed rates charged other classes of patients or the actual cost to the hospital of such services and maintenance whichever is the least and all moneys received on account of the care of the patient shall be reported as a credit against the gross earnings of free and part pay service chargeable against this appropriation.

| | |
|--|------------|
| Abington Memorial Hospital | \$ 213,000 |
| Adrian Hospital Association, Punxsutawney .. | 66,000 |
| Albert Einstein Medical Center, Philadelphia .. | 575,000 |
| Aliquippa Hospital | 40,000 |
| Allegheny General Hospital, Pittsburgh | 508,000 |
| Allegheny Valley Hospital, Tarentum | 145,000 |
| Allentown Hospital | 490,000 |
| Altoona Hospital | 345,000 |
| American Hospital for Diseases of Stomach, Philadelphia | 10,000 |
| American Oncologic Hospital, Philadelphia | 80,000 |
| Armstrong County Memorial Hospital, Kittanning | 70,000 |
| Barnes Simon H. Memorial Hospital, Susquehanna | 14,000 |
| Beaver Valley General Hospital, New Brighton .. | 60,000 |
| Belvedere General Hospital, Pittsburgh | 13,500 |
| Berwick Hospital | 68,000 |
| Black F. W. Community Hospital, Lewistown .. | 20,000 |
| Blair J. C. Memorial Hospital, Huntingdon | 120,000 |
| Bloomsburg Hospital | 83,000 |
| Braddock General Hospital | 143,500 |
| Bradford Hospital | 108,500 |
| Brookville Hospital | 68,000 |
| Brownsville General Hospital | 46,500 |
| Bryn Mawr Hospital | 150,000 |
| Butler County Memorial Hospital | 188,000 |
| Canonsburg General Hospital | 30,000 |
| Carbondale General Hospital | 104,500 |
| Carlisle Hospital | 88,500 |
| Centre County Hospital, Bellefonte | 96,000 |
| Chambersburg Hospital | 87,000 |
| Charlert-Monessen Hospital Association | 70,500 |
| Chester County Hospital, West Chester | 120,000 |
| Chester Hospital | 330,000 |
| Chestnut Hill Hospital, Philadelphia | 63,000 |
| Children's Heart Hospital, Philadelphia | 155,000 |
| Children's Hospital of Philadelphia | 181,000 |
| Children's Hospital of Pittsburgh | 215,000 |
| Citizens General Hospital, New Kensington ... | 145,000 |
| Clearfield Hospital | 130,000 |

| | |
|--|---------|
| Clement Atkinson Memorial Hospital, Coatesville | 40,000 |
| Coatesville Hospital | 126,500 |
| Columbia Hospital, Columbia | 45,000 |
| Columbia Hospital, Wilkensburg | 95,000 |
| Community General Hospital, Reading | 165,000 |
| Community Hospital, Kane | 20,000 |
| Community Memorial Hospital, West Grove | 10,000 |
| Conemaugh Valley Memorial Hospital, Johnstown | 393,500 |
| Corry Memorial Hospital | 36,000 |
| Crozer J. Lewis Homeopathic Hospital, Chester .. | 42,000 |
| Delaware County Hospital, Drexel Hill | 46,500 |
| Eagleville Sanatorium for Consumptives | 405,000 |
| Easton Hospital | 200,500 |
| Elizabeth Steel Magee Hospital, Pittsburgh | 412,000 |
| Elk County General Hospital, Ridgway | 50,000 |
| Ellwood City Hospital | 30,000 |
| Ephrata Community Hospital | 28,000 |
| Episcopal Hospital, Philadelphia | 358,000 |
| Evangelical Community Hospital, Lewisburg .. | 43,500 |
| Eye and Ear Hospital, Pittsburgh | 66,000 |
| Frankford Hospital, Philadelphia | 87,500 |
| Franklin City, Hospital | 75,000 |
| Frick Henry Clay Memorial Hospital, Mt. Pleasant | 69,000 |
| Fulton County Medical Center, McConnellsburg .. | 21,000 |
| Geisinger G. F. Memorial Hospital, Danville .. | 108,000 |
| General Hospital of Monroe County, East Stroudsburg | 130,000 |
| Germantown Dispensary and Hospital, Philadelphia | 382,000 |
| Gnaden Huetten Memorial Hospital, Lehighnton .. | 12,000 |
| Good Samaritan Hospital, Lebanon | 126,000 |
| Grandview Hospital, Sellersville | 28,500 |
| Greene County Memorial Hospital, Waynesburg .. | 75,000 |
| Greenville Hospital | 62,400 |
| Grove City Hospital | 24,000 |
| Hahnemann Medical College Hospital, Philadelphia | 500,000 |
| Hahnemann Hospital, Scranton | 134,500 |
| Hamot Hospital Association, Erie | 400,000 |
| Hanover General Hospital | 35,000 |
| Harrisburg Hospital | 575,000 |
| Harrisburg Polyclinic Hospital | 310,000 |
| Homestead Hospital | 147,500 |
| Indiana Hospital | 143,000 |
| Jameson Memorial Hospital, New Castle | 144,000 |
| Jeannette District Memorial Hospital | 27,000 |
| Jefferson Medical College Hospital, Philadelphia .. | 858,000 |
| Jefferson Medical College Memorial Hospital (Barton Division), Philadelphia | 50,000 |
| Jersey Shore Hospital | 38,000 |
| Kane Summit Hospital Association | 16,000 |
| Kensington Hospital, Philadelphia | 35,000 |
| Lancaster General Hospital | 310,500 |
| Lancaster Heart Association | 30,000 |
| Lancaster Osteopathic Hospital | 22,000 |
| Lankenau Hospital, Philadelphia | 85,000 |
| Latrobe Hospital Association | 135,000 |
| Lee Hospital, Johnstown | 127,500 |
| Lewistown Hospital | 222,000 |
| Lock Haven Hospital | 110,000 |
| Lower Bucks County Hospital, Bristol | 85,000 |
| Lying-in Charity Hospital, Philadelphia | 146,000 |
| Maple Avenue Hospital Association, DuBois ... | 51,500 |
| Maternity Hospital, Philadelphia | 97,000 |
| McKeesport Hospital | 350,000 |
| Meadville City Hospital | 100,000 |
| Memorial Hospital Association, Monongahela .. | 26,000 |
| Memorial Hospital of Bedford County, Everett .. | 32,000 |
| Memorial Hospital of Chester County, West Chester | 76,000 |
| Memorial Hospital of Pottstown | 60,000 |
| Memorial Hospital of Roxborough, Philadelphia .. | 88,000 |
| Mercer County Crippled Children's Society, Inc., Sharpsville | 5,000 |
| Mercy-Douglass Hospital, Philadelphia | 154,000 |
| Mercy Hospital, Altoona | 145,000 |
| Mercy Hospital, Wilkes-Barre | 300,000 |
| Meyersdale Community Hospital | 17,000 |

| | |
|---|---------|
| Mid-Valley Hospital Association, Peckville . . . | 90,500 |
| Milliken A. C. Hospital, Pottsville | 193,000 |
| Miner's Hospital of Northern Cambria, Spangler | 160,000 |
| Montefiore Hospital, Pittsburgh | 245,000 |
| Montgomery Hospital, Norristown | 145,500 |
| Muncy Valley Hospital | 19,500 |
| Nason Hospital Association, Roaring Springs . . | 62,000 |
| North Penn Hospital, Lansdale | 16,500 |
| Northeastern Hospital of Philadelphia | 46,000 |
| Northwestern General Hospital, Philadelphia . . | 94,500 |
| Ohio Valley General Hospital, McKees Rocks . . | 56,500 |
| Oil City Hospital | 89,000 |
| Osteopathic Hospitals of Philadelphia (48th & Spruce and 20th & Susquehanna) | 49,600 |
| Packer Robert H. Hospital, Sayre | 302,500 |
| Passavant Hospital, Pittsburgh | 72,000 |
| Pennsylvania Hospital of Philadelphia (Contributors) | 436,000 |
| Phoenixville Hospital | 42,500 |
| Pittsburgh Hospital Association | 300,000 |
| Pittston Hospital | 130,000 |
| Port Allegheny Community Hospital | 8,000 |
| Potter County Memorial Hospital, Coudersport | 27,000 |
| Pottstown Hospital | 100,000 |
| Pottsville Hospital | 365,000 |
| Presbyterian Hospital in Philadelphia | 95,000 |
| Presbyterian Hospital, Pittsburgh | 323,000 |
| Providence Hospital, Beaver Falls | 78,000 |
| Quakertown Hospital Association | 33,000 |
| Reading Hospital, West Reading | 277,000 |
| Renovo Hospital | 46,000 |
| Rochester General Hospital | 84,000 |
| Rush Hospital for Consumptives, Philadelphia . | 240,000 |
| St. Christopher's Hospital for Children, Philadelphia | 206,000 |
| St. Francis Hospital, Pittsburgh | 495,000 |
| St. John's General Hospital, Pittsburgh | 57,000 |
| St. Joseph's Hospital, Carbondale | 130,000 |
| St. Joseph's Hospital, Reading | 142,500 |
| St. Luke's & Children's Medical Center, Philadelphia | 160,000 |
| St. Luke's Hospital, Bethlehem | 297,500 |
| St. Margaret Memorial, Pittsburgh | 20,000 |
| St. Vincent's Hospital, Erie | 350,000 |
| Sewickley Valley Hospital | 66,500 |
| Shadyside Hospital, Pittsburgh | 200,000 |
| Sharon General Hospital | 150,000 |
| Somerset Community Hospital | 102,000 |
| South Side Hospital, Pittsburgh | 247,500 |
| Spencer Hospital, Meadville | 104,000 |
| Stetson Hospital, Philadelphia | 28,000 |
| Suburban General Hospital, Pittsburgh | 44,000 |
| Sunbury Community Hospital | 107,000 |
| Taylor Hospital Association, Taylor | 116,500 |
| Taylor Hospital, Ridley Park | 28,000 |
| Temple University Hospital, Philadelphia | 905,000 |
| Titusville Hospital | 68,000 |
| Troy Community Hospital, Inc. | 15,000 |
| Tyler Memorial Hospital, Meshoppen | 20,000 |
| Tyrone Hospital | 22,500 |
| Uniontown Hospital Association | 225,000 |
| University of Pennsylvania Hospital, Philadelphia | 580,000 |
| University of Pennsylvania Graduate Hospital, Philadelphia | 355,000 |
| Warner Annie M. Hospital, Gettysburg | 35,000 |
| Warren General Hospital | 62,000 |
| Washington Hospital | 212,000 |
| Wayne County Memorial Hospital, Honesdale . . | 45,000 |
| Waynesboro Hospital | 40,000 |
| Western Pennsylvania Hospital, Pittsburgh . . . | 324,000 |
| Westmoreland Hospital Association, Greensburg | 155,000 |
| West Side Hospital, Scranton | 126,000 |
| West Side Osteopathic Hospital of York | 7,000 |
| Wilkes-Barre General Hospital | 576,000 |
| Williamsport Hospital | 295,000 |
| Wills Eye Hospital | 246,000 |
| Woman's Hospital of Philadelphia | 125,000 |
| Woman's Hospital of Pittsburgh | 58,000 |
| Woman's Medical College Hospital, Philadelphia | 170,000 |

| | |
|--|---------|
| Wyoming Valley Hospital, Wilkes-Barre | 80,000 |
| York Hospital | 370,500 |
| Zem Zem Hospital for Crippled Children, Erie . . | 164,000 |
| \$28,000,000 | |

Section 2. Any unexpended balance of the appropriation as determined by the Department of the Auditor General shall be allocated by the Department of Public Welfare and the Department of the Auditor General among the hospitals, the amounts for which herein specified have not been sufficient to pay for the services rendered by them to persons entitled to free service in the proportion which the total amount to which each hospital is entitled under the formulae set forth in section 1, hereof, and for which it has not been paid bears to the total of such amounts of all the hospitals that have not been paid in full. The amount allocated to any hospital shall not be greater than the amount to which the hospital is entitled under the formulae set forth in section 1. All amounts so allocated shall be paid by the department to the hospitals entitled thereto in the manner prescribed by law.

Section 3. Except in cases of accident or emergency only bonafide residents of Pennsylvania shall be entitled to the free service provided for in this act.

Section 4. All participating hospitals shall file a report with the Department of the Auditor General within ninety days of the last day of each quarter. Failure to file the report timely as required hereunder shall disqualify the institution from receiving an appropriation for the quarter covered by the untimely filed report.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Sakulsky, |
| Anderson, | Galley, | McDonald, | Scarcell, |
| Arlene, | Gallagher, | McInroy, | Schaaf, |
| Ashton, | Garlock, | McLaughlin, | Schuster, |
| Auker, | Gelfand, | Machmer, | Seltzer, |
| Balthaser, | George, | Mages, | Sherman, |
| Barton, | Gibb, | Mahan, | Shupnik, |
| Beil, | Goldstein, M. H., | Markley, | Silverman, |
| Blair, | Goodrich, | Maxwell, | Snare, |
| Boies, | Gramlich, | Mehoichick, | Snider, |
| Bonner, | Hamilton, | Merry, | Stank, |
| Boris, | Heavey, | Mihm, | Steckel, |
| Bower, | Heffner, | Miller, B. Z., | Stewart, |
| Bowman, | Henzel, | Miller, H. G., | Stimmel, |
| Branca, | Hocker, | Mills, | Stone, |
| Breth, | Holliday, | Muldowney, | Stoner, |
| Buchanan, | Holt, | Mullen, | Strausser, |
| Burns, | Horst, | Munley, | Stroup, |
| Capano, | Irvis, | Murphy, P. J., | Sullivan, |
| Capitolo, | Isaacs, | Murray, H. P., | Taylor, |
| Cianfrani, | Jenkins, | Murray, J. J., | Thompson, |
| Cioffi, | Jim, | Murray, P. G., | Tompkins, |
| Clarke, | Johnson, A. W., | Musto, | Trusio, |
| Comer, | Johnson, R., | Naugle, | Ujobai, |
| Crossin, | Jones, F. R., | Needham, | Varallo, |
| Curwood, | Jump, | Nelson, | Varner, |
| Davis, | Kamyk, | O'Dell, | Verona, |
| Dengler, | Kee, | O'Donnell, J. A., | Wall, |
| Dennison, | Keiser, | Ogllvie, | Walsh, |
| Devlin, | Kernaghan, | O'Neil, | Wargo, |
| Donahue, | Kessler, | Parlante, | Weldner, |
| Donaldson, | Knecht, | Pashley, | Welsh, |
| Dougherty, | Kooker, | Perry, H. H., | Wescott, |
| Down, | Kornick, | Perry, P. E., | Wheeler, |
| Edwards, | Korns, | Petrosky, | Williams, A. D., Jr., |
| Ellberg, | Kovolenko, | Polaski, | Williams, E. S., |
| Eshback, | Kubitsky, | Polen, | Willard, |
| Eshleman, | Lamb, | Prendergast, | Willaredt, |
| Ewing, | Lee, A. M., | Price, | Wilt, |
| Farabaugh, | Lee, K. B., | Pursley, | Wood, |
| Filo, | Leonard, | Reibman, | Worley, |
| Fineman, | Limper, | Renwick, | Wynd, |
| Floyd, | Lippincott, | Rigby, | Yatron, |
| Flynn, | Lopresti, | Riley, | Yetter, |
| Foerster, | Luigard, | Rovansek, | Zimmerman, |

Fox,
Frank,
Frascella,

Lutty,
McCandless,

Royer,
Rudisill,

Andrews,
Speaker

NAYS—0

NOT VOTING—21

Brenninger,
Brown,
Cooper,
Dennis,
Fetterolf,
Goldstein, J. H.,

Guthrie,
Helm,
Jones, T. H. W.,
Light,
McCormack,

McKeever,
Monroe,
Moran,
Murphy, A. J., Jr.
O'Donnell, J. P.

Odorisio,
Reidenbach,
Schwartz,
Stevens,
Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE ON SENATE BILL No. 1238

Mr. DEVLIN. Mr. Speaker, I move that the vote by which Senate Bill No. 1238, Printer's No. 1597, entitled:

"An Act amending the act of June 1, 1956 (P. L. 1959) entitled 'An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts,' increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County."

was defeated on Final Passage Wednesday, November 18, 1959, be reconsidered.

Mr. KAMYK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Devlin, vote on the final passage of this bill?

Mr. DEVLIN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Kamyk, vote on the final passage of this bill?

Mr. KAMYK. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. RIGBY. I would like permission, Mr. Speaker, to speak very briefly on the motion.

I am opposed to the motion. This bill had a fair shake yesterday. It was voted on fairly and defeated. It is bad legislation and I do not believe that it should be brought up again at this time. I am going to ask for a slow roll call and only those voting on it be counted.

Mr. McCANN. Mr. Speaker, I bring to the attention of the gentleman from Allegheny that we are now in the 11th month and I hope in the final days of this Session we have an agreement which has never been broken to this day, that any person on any bill desiring to offer a reconsideration motion, even though you opposed the bill in itself, we have not to this day opposed the opportunity to present the bill for the second vote.

The basic courtesy of the House has always been extended and I believe I had no knowledge of opposition to the reconsideration motion until this moment. I have no objection to the position of reconsideration, I believe the bill should be given that opportunity and then voted accordingly. If you recall, we have reconsidered at least 100 motions in this Session, I am sure, in which always that prerogative was granted to the sponsors or the people who had the deepest interest in the bill.

Mr. RIGBY. Mr. Speaker, I wonder if the Majority Leader would allow himself to be interrogated?

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, I have never knowingly been discourteous to anybody although I may have been. But, I wonder and I believe in the past the reconsideration motions were put on the postponed calendar. Now, what I would like to know from the Majority Leader is will he place this upon the postponed calendar?

Mr. McCANN. No, Mr. Speaker, that is not true. On one other bill, one other reconsideration motion in this Session was brought right up and voted on. I believe it was defeated at that point, but it can be done either way. The reconsideration motion to place the bill on the final passage postponed calendar does not meet with my approval. I believe it should be reconsidered and voted on—if it passes, it passes—if it falls, it falls.

Mr. RIGBY. Of course, Mr. Speaker, that is where the Majority Leader and I sort of disagree. Will the Majority Leader agree to place it upon the postponed calendar?

Mr. McCANN. Mr. Speaker, I will oppose placing it on the postponed calendar, but that decision in the end rests on the prerogative of the House, for if you make the motion after the reconsideration, we have to follow accordingly. I would oppose the motion that would be made at the proper time to place the bill on the final passage postponed calendar.

Mr. RIGBY. Mr. Speaker, I do not like to break precedent here. This is objectionable to me, what I am doing now; it was objectionable to me yesterday, the position that I have had to take, because I have never been an "aginer." But in the interest of saving time I would yield to the Majority Leader with the hope that in his wisdom he will place it upon the postponed calendar and do the right thing so this bill can be considered properly. I do not think it has been considered properly. It has been one of those things that has been rushed through, and certainly should have been introduced in the early part of this Session and we should not start to muscle things through now. If they had the money, I would not be here.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I will give you a constructive reason for approval of a motion for reconsideration. According to the newspaper reports, 105 people voted for this bill. Accordingly to the newspaper reports, the speaker was absent without leave. This is probably the first or second time in five years that I have missed a Session. The particular newspaper which indicated that probably felt I was ducking the issue. I never duck an issue, and for the information of that paper, I was on a forum with the associate editor of that paper. I ask to have the opportunity of voting on this bill and voting aye today.

Mr. Speaker, somebody told me they thought I meant

the Speaker of the House, I meant yours truly here. I have very little opportunity or chance to become the Speaker, indicated by the number of votes I get for my discharge resolutions.

Pertinent to the previous motion, why I wanted it to be reconsidered, it is because I had requested that I have the opportunity of voting on the bill and asked to have it held over for today. For some unknown reason, and I am not placing responsibility upon anybody, it was voted on yesterday. I will tell you today what I would have said yesterday as to why I am for the bill.

The Allegheny County Court is not only a court of limited jurisdiction insofar as the amount is concerned, but it is the court in our county which handles all the administrative law of the county. Let me recite to you what administrative law the County Court now possesses under its jurisdiction. It has appeals in the following matters: mercantile tax assessments, occupational diseases, appeals of tenure from the Department of Public Instruction, Workmen's Compensation cases, appeals from the Pennsylvania Labor Relations Board, appeals from motor vehicle license suspension, appeals from liquor suspensions, criminal jurisdiction, property assessment appeals, zoning boards appeals and civil service ruling appeals.

Therefore, you can recognize that the jurisdiction of this court is rather more extensive than you would have thought under first impression.

Another reason, which is perhaps somewhat projecting myself into the future, I am for this bill so that the county court judges will get the same salary as the common pleas court judges. There has been much movement in our county for the consolidation of the courts, and I hope to see the day when all our courts are consolidated. Under this particular bill they will now receive the same pay as common pleas court judges. I intend to vote for consolidation of our courts if the bill ever comes up. In addition, I look to see and hope for the day when we will have an administrator, an administrator of our courts, and he can best administer his duties by having one consolidated court and by having judges on an equal basis.

Finally, I would like to say this: the county court has been referred as the poor man's court. The poor man is entitled to the same degree of justice as the others. I hope we pass this bill today and the county court judges will be on an equal plane with the common pleas court judges of Allegheny County.

MOTION TO POSTPONE

Mr. RIGBY. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. DEVLIN. Mr. Speaker, I want to make my position clear. I am opposed to this motion of Mr. Rigby's and ask the members to vote it down.

On the question recurring,

Will the House agree to the motion?

A division was called for, seventy-four Members having voted in the affirmative and one hundred and two in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. RIGBY. I would like to interrogate the Majority Leader, Mr. Speaker.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, would the gentleman tell me first, is there any money set aside to pay these judges. I do not know how many you have in Philadelphia County, but you have seven in Allegheny County.

Mr. McCANN. Mr. Speaker, I think that was covered yesterday, but I will yield to the gentleman from Washington, Mr. Polen, dealing with the appropriations to the judicial branch, the number of persons involved and the amounts.

Mr. POLEN. I presume, Mr. Speaker, that the question was really, are there any funds provided in the budget. Is that correct?

Mr. RIGBY. Additional funds, Mr. Speaker.

Mr. POLEN. There are no additional funds in the budget for this particular amount. If the gentleman will permit me, I would say, however, that in the course of human events, as there have been in the past, there will be a number of vacancies in the courts. This money comes out of the judicial appropriations, which would take care of probably a good part of this.

Mr. RIGBY. Mr. Speaker, the gentleman is telling me a certain number of judges die and they are going to absorb that to pay this raise, which certainly does not seem realistic to me.

Now then, I would like to ask the gentleman further, if there is no money in this budget and all the judges live, and I hope they do, where in the name of goodness are they going to get this money?

Mr. POLEN. Mr. Speaker, I hope all the judges do live, as far as that is concerned, but I said, in the course of human events that has happened in the past and vacancies had not been filled as promptly as they occurred and the result was that some money was available. Now in this particular case, what would happen if this bill would become law, is, there is plenty of money in it to run it within the last month of 1961, that is the end of the biennium. We will also have the opportunity to correct this in January of this year at the financial session we will have. It is not absolutely necessary at this time that it be budgeted, but to answer the gentleman correctly, I would say this amount is not in the budget.

Mr. RIGBY. Well, Mr. Speaker, would it not be wise under the conditions to wait until the next session and put this additional money in the budget, then the following year give these poor judges the increase then?

Mr. POLEN. Well, Mr. Speaker, of course, it is our intention, if these bills pass, to put the money in that will be needed, if any is needed. Now in this particular, we will not know until at least sometime in January of 1961, when we are back here, if any money is going to be needed, so there is no necessity for appropriating it now. However, we could appropriate it in the session that will come in January of 1960.

Mr. RIGBY. Well, Mr. Speaker, is it not true that His Excellency, the Governor, made a statement at his Press conference that he would sign no legislation unless there were funds provided to pay for it?

Mr. POLEN. I think that is the position of the Governor, but I would say in this particular case, with this amount

involved, funds will be available out of present tax revenues to pay for it.

Mr. RIGBY. Then, Mr. Speaker, at the Press conference His Excellency, the Governor, did not mean exactly what he said because I thought he did not believe in deficit spending. Does he believe in it or does he not?

Mr. POLEN. Mr. Speaker, he definitely does not believe in deficit spending. He has repeatedly made the statement that he will not sign bills costing money in excess of the realistic tax estimates as prepared by the Department of Revenue and certified by the Budget Secretary and he will not do so, but I say so far as this particular bill is concerned in the revenue estimates that we have at this time, if we want to use the full amount of what it would take, it would be available and he could sign it. I am not saying he would sign it, Mr. Speaker; I do not know.

Mr. RIGBY. Mr. Speaker, is it not reasonable to believe that all the judicial districts in this state are going to come in with the same type of legislation for increases for the other judges, and can the gentleman tell me if they all get \$4,000 a year increase, how much that will be and also where the money is coming from?

Mr. POLEN. Mr. Speaker, unless you do it in the next few days, that will be something we will not have to face until the 1961 session. So, if the General Assembly in its wisdom decides to give the judges \$4,000 or whatever they do give them, they will certainly have to provide the money for it. But that situation we will not face until then because that type of legislation cannot be considered in the 1960 Session.

Mr. RIGBY. Mr. Speaker, would it not be wise then to hold these bills over until they are in position to pay this huge sum? It is going to be a huge sum when you are through.

Mr. POLEN. Mr. Speaker, of course, it is a huge sum if I was going to have to pay it, but when we talk about budgets that we have here in the Commonwealth, it is not such a large sum in comparison. The total amount to pay the entire amount of this increase under Senate Bill 1238 is \$43,920, if all the judges remain fulltime and there are no vacancies or if vacancies would be immediately filled. That would be the maximum amount it would cost. But I again reiterate, in the light of past experience, there has been money normally, considerable money, that has been lapsed on account of the vacancies that were not immediately filled.

Mr. RIGBY. Mr. Speaker, will the gentleman agree that these are not normal times?

Mr. POLEN. Well, I do not know exactly what the gentleman's definition of "normalcy" is, but it seems to me things are just about the same. I would say they were normal times.

Mr. RIGBY. Thank you, Mr. Polen.

Mr. Speaker, I would like to say just a few words about this. I repeat the statement of yesterday, we are about to increase the salary of a group of men with limited jurisdiction, putting them on a basis with the higher courts, so to say, the common pleas courts.

Now this same group, I want you to remember, gentlemen, were here four years ago for a \$4,000 increase and a pension that would pay them 80 percent of their salary. Now they are back today and they want \$4,000 more. Suppose every other judge in this state, doing just as well as the judges in Allegheny County, and who would

be just as much entitled to an increase of \$4,000, comes in, this thing is going to snowball out of all proportions.

I want to call your attention today to something that is on our calendar. We, the magnanimous House, are going to give our State Policemen \$300 a year increase. Now, the steelworkers spent 118 long days trying to get an increase in pay that would have meant \$300, approximately \$380. Now where is the reasoning in it?

Some of the clerks in this House, we were good enough to give as much as two dollars a day. Then you have this "selfish seven" from Allegheny County coming in here and wanting \$4,000 increase which you do not have the money to pay, and we, who are sent here to protect the taxpayers' interests, are completely ignoring this. Read your daily newspapers and see what they think of us, how they feel about it.

Mr. Goldstein said the consolidation of the courts would help them out. I say that is all right but let us wait until the consolidation comes, and until that comes this bill certainly should be defeated.

We are giving these men as much of an increase as the total salary of our State Policemen will be for a year. And I want to tell this House it costs the State Policeman and the steelworkers, just as much to live as a judge. For the most part, they have larger families. It costs them just as much to buy a loaf of bread, a pound of butter or a pound of meat.

What are we coming to? Are we going to allow this thing, this high cost of government, to continue on and on? We have been elected to this House to stop the increasing costs of government and I say to you, this is the time and the place right now today to do it. And if we do not do it, we are not living up to the oath of our office.

A great number of people who are voting for this today talked to me and told me they do not care about it, they do not want it, but they are voting for it for personal reasons that you can guess. Mr. Speaker, I want a slow roll call and a real slow roll call.

Mr. EILBERG. Mr. Speaker, yesterday this House passed a bill which increased the salary of our Municipal Court Judges in Philadelphia to the same level as the Common Pleas Judges in Philadelphia. The vote on that bill was 120 to 53. I am sure I am not alone when I say that after both bills were considered and voted upon there was some feeling among some Members of the House, that we, some of us from Philadelphia were working in our own behalf and our own interest and not helping Pittsburgh to do what it wanted to do, what a substantial number of the Members from Pittsburgh wanted to do. I want to say, Mr. Speaker, that simply is not so. Many of us from Philadelphia, not only worked for the Philadelphia bill but we also worked for the Pittsburgh bill. As emphatically as I know how I want to say that is the truth.

As far as the bill that is presently before us for reconsideration is concerned, I say what is good for Philadelphia is also good for Pittsburgh. You can not make fish out of one and fowl out of the other. I say if you did it for Philadelphia you must in good conscience do it for Pittsburgh.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have heard the address of the gentleman from Allegheny, Mr. Rigby, in which the members of the Allegheny County Court are referred to as the "selfish seven," and an indication that

some of us vote for a selfish reason. Everybody knows that I am a member of the Bar of Allegheny County and I am voting for this bill because I want to vote for the bill, and nobody is compelling me to vote for the bill. I am doing it on my own, and Mr. Rigby and nobody else can read my mind. I want to tell the Members on both sides of the House that I believe I am the only Member in the House of Representatives who voted against any pay raise for anybody, including myself, and I will not believe that the man that spoke in favor of this bill can claim that record.

Mr. FILO. I would like to interrogate Mr. Rigby.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Rigby, permit himself to be interrogated?

Mr. RIGBY. I will, Mr. Speaker.

Mr. FILO. Mr. Speaker, ladies and gentlemen. I just heard a fervent plea for the steel workers in Allegheny County and the state of Pennsylvania. I would like to ask the gentleman how he voted on a bill, an abatement bill, just two days ago that fell by two votes. How did the gentleman vote on that bill helping steel workers?

Mr. RIGBY. First, Mr. Speaker . . .

The SPEAKER pro tempore. The Chair rules that the interrogation is out of order.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

| | | | |
|------------|-------------------|-------------------|------------|
| Agnew, | Foerster, | Lutty, | Reibman, |
| Anderson, | Frank, | McCann, | Renwick, |
| Arlene, | Frascella, | McDonald, | Riley, |
| Balthaser, | Fulmer, | McLaughlin, | Rovanssek, |
| Boles, | Galley, | Machmer, | Rudisill, |
| Bonner, | Gallagher, | Maxwell, | Sakulsky, |
| Branca, | Garlock, | Meholchick, | Scarcelli, |
| Breth, | Gelfand, | Mihm, | Schaaf, |
| Buchanan, | Goldstein, M. H., | Miller, B. Z., | Schuster, |
| Burns, | Hamilton, | Mills, | Sherman, |
| Capano, | Heavey, | Muldowney, | Shupnik, |
| Capitolo, | Holt, | Mullen, | Silverman, |
| Ciafrani, | Irviss, | Munley, | Snider, |
| Cioffi, | Jenkins, | Murray, J. J., | Stank, |
| Clarke, | Jim, | Musto, | Stewart, |
| Comer, | Jones, P. R., | Needham, | Stone, |
| Crossin, | Kamyk, | Nelson, | Sullivan, |
| Curwood, | Kee, | O'Donnell, J. A., | Taylor, |
| Devlin, | Knecht, | O'Neill, | Trusilo, |
| Donaldson, | Kornick, | Parlante, | Varallo, |
| Dougherty, | Kovolenko, | Pashley, | Verona, |
| Down, | Lamb, | Perry, H. H., | Wargo, |
| Elberg, | Lee, A. M., | Perry, P. E., | Welsh, |
| Ewing, | Leonard, | Petrosky, | Wheeler, |
| Filo, | Limper, | Polaski, | Yatron, |
| Fineman, | Lopresti, | Polen, | Yetter, |
| Floyd, | Luigard, | Prendergast, | Andrews, |
| Flynn, | | | Speaker |

NAYS—73

| | | | |
|-----------|-----------------|----------------|-----------------------|
| Ashton, | Heffner, | Magee, | Stimmel, |
| Auker, | Henzel, | Mahan, | Stoner, |
| Barton, | Hocker, | Markley, | Thompson, |
| Bell, | Holliday, | Merry, | Tompkins, |
| Boris, | Horst, | Miller, H. G., | Varner, |
| Bower, | Isaacs, | Murphy, P. J., | Wall, |
| Bowman, | Johnson, A. W., | Murray, H. P., | Walsh, |
| Davis, | Johnson, R., | Murray, P. G., | Weldner, |
| Dengler, | Jump, | Naugle, | Wescott, |
| Dennison, | Keiser, | O'Dell, | Williams, A. D., Jr., |
| Edwards, | Kernaghan, | Oglvie, | Williams, E. S., |
| Eshback, | Kessler, | Price, | Willard, |
| Eshleman, | Kooker, | Pursley, | Willaredt, |
| Fox, | Korna, | Rigby, | Wilt, |
| George, | Lee, K. B., | Royer, | Wood, |
| Gibb, | Lippincott, | Seltzer, | Worley, |
| Goodrich, | McCandless, | Snare, | Wynd, |
| Gramlich, | McInroy, | Steckel, | Zimmerman, |
| Guthrie, | | | |

NOT VOTING—27

| | | | |
|-------------|-------------------|---------------------|------------|
| Blair, | Fetterolf, | McKeever, | Schwartz, |
| Brenninger, | Goldstein, J. H., | Monroe, | Stevens, |
| Brown, | Helm, | Moran, | Strausser, |
| Cooper, | Jones, T. H. W., | Murphy, A. J., Jr., | Stroup, |
| Dennis, | Kubitsky, | O'Donnell, J. P., | Ujobal, |
| Donahue, | Light, | Odorisio, | Whittaker, |
| Farabaugh, | McCormack, | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 660, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business.

Mr. McCANN. Mr. Speaker, I move that the House recede from its non-concurrence and concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. DOUGHERTY. I rise to oppose the concurrence in House Bill 660. As this bill affects Philadelphia, I ask all the Philadelphia Members to vote against this concurrence.

Mr. McCANN. Mr. Speaker, this is not a concurrence bill; it is a motion to recede and then to concur in the amendments.

I ask the Members of this House to support my position to recede from non-concurrence in Senate amendments and that the House concur in the amendments.

Mr. TOMPKINS. I most seriously object to this procedure. We had no prior knowledge that you were going to recede from the amendments on this bill. We had no opportunity to discuss the motion to recede.

The SPEAKER pro tempore. Will the gentleman yield?

For the information of the gentleman, the motion is not to recede from the amendments but to recede non-concurrence in the amendments.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

| | | | |
|------------|-------------------|-------------|-----------|
| Agnew, | Garlock, | Machmer, | Schuster, |
| Ashton, | George, | Magee, | Seltzer, |
| Auker, | Gibb, | Mahan, | Shupnik, |
| Balthaser, | Goldstein, M. H., | Markley, | Snare, |
| Barton, | Goodrich, | Maxwell, | Snider, |
| Blair, | Gramlich, | Meholchick, | Stank, |

| | | | |
|--|---|--|---|
| Boles, Bonner, Boris, Bower, Bowman, Breth, Buchanan, Burns, Capano, Cioffi, Clarke, Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Donaldson, Down, Edwards, Eshback, Eshleman, Ewing, Farabaugh, Filo, Flynn, Foerster, Fox, Frank, Fulmer, Galley, Gallagher, | Guthrie, Hamilton, Heffner, Henzel, Hocker, Holliday, Irvis, Jenkins, Jim, Johnson, A. W., Johnson, R., Jump, Kamyk, Kelser, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, K. B., Leonard, Lopresti, Luigard, Lutty, McCandless, McCann, McDonald, McInroy, McLaughlin, | Merry, Mihm, Miller, H. G., Mills, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Ogilvie, O'Neil, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Rovanssek, Royer, Rudisill, Sakulsky, SchAAF, | Steckel, Stimmel, Stone, Stoner, Strausser, Stroup, Thompson, Tompkins, Trusio, Ujobal, Varnar, Verona, Wall, Walsh, Wargo, Weidner, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|--|---|

NAYS—39

| | | |
|---|--|--|
| Anderson, Arlene, Bell, Branca, Capitolo, Cianfrani, Comer, Dengler, Dougherty, Ellberg, | Fineman, Floyd, Frascella, Gelfand, Heavey, Holt, Horst, Isaacs, Jones, F. R., Kee, | Kernaghan, Lee, A. M., Limper, Lippincott, Miller, B. Z., Muldowney, Mullen, Parlante, Pashley, Perry, P. E., |
|---|--|--|

NOT VOTING—21

| | | | |
|---|--|--|--|
| Brenninger, Brown, Cooper, Dennis, Fetterolf, | Goldstein, J. H., Helm, Jones, T. H. W., Light, McCormack, | McKeever, Monroe, Moran, Murphy, A. J., Jr., O'Donnell, J. P., | Odoriso, Reidenbach, Schwartz, Stevens, |
|---|--|--|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from non-concurrence and concurred.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER pro tempore. The Chair returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

RESOLUTION

RECALLING HOUSE BILL No. 1822 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

Resolved (the Senate concurring), That House Bill No. 1822, Printer's No. 1806, entitled "An act amending the act of March 19, 1951 (P. L. 28), entitled 'An act relating to the civil defense of this State and its coordination with national defense; providing for the establishment of a State Council of Civil Defense, local and district councils of civil defense, Mobile Support Units; prescribing the powers, duties and immunities thereof, and of their personnel; authorizing mutual aid compacts, and providing penalties,' making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime

radiation, dangers and disasters," be recalled from the Senate for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

NAYS—190

| | | | |
|---|--|--|--|
| Agnew, Anderson, Arlene, Ashton, Auker, Balchaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Bowman, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, | Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanssek, Royer, Rudisill, Sakulsky, | Scarcelli, SchAAF, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varnar, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|--|

NAYS—0

NOT VOTING—19

| | | | |
|---|--|--|--|
| Brenninger, Brown, Cooper, Dennis, Fetterolf, | Goldstein, J. H., Helm, Jones, T. H. W., Light, McCormack, | McKeever, Monroe, Moran, Murphy, A. J., Jr., O'Donnell, J. P., | Odoriso, Reidenbach, Schwartz, Stevens, |
|---|--|--|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 866, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing names of State Teachers' Colleges.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCandless, | Sakulsky, |
| Anderson, | Galley, | McCann, | Scarcelli, |
| Arlene, | Gallagher, | McDonald, | Schaaf, |
| Ashton, | Garlock, | McInroy, | Schuster, |
| Balthaser, | Gelfand, | McLaughlin, | Seltzer, |
| Barton, | George, | Machmer, | Sherman, |
| Bell, | Gibb, | Mahan, | Shupnik, |
| Blair, | Goldstein, M. H., | Markley, | Silverman, |
| Boles, | Goodrich, | Maxwell, | Snare, |
| Bonner, | Gramlich, | Meholchick, | Snider, |
| Boris, | Guthrie, | Mihm, | Stank, |
| Bower, | Hamilton, | Miller, B. Z., | Steckel, |
| Bowman, | Heavey, | Miller, H. G., | Stewart, |
| Branca, | Heffner, | Mills, | Stimmel, |
| Breth, | Henzel, | Muldowney, | Stone, |
| Buchanan, | Hocker, | Mullen, | Stoner, |
| Burns, | Holt, | Munley, | Strausser, |
| Capano, | Horst, | Murphy, P. J., | Stroup, |
| Capitolo, | Irviss, | Murray, H. P., | Sullivan, |
| Cianfrani, | Isaacs, | Murray, J. J., | Taylor, |
| Cioffi, | Jenkins, | Murray, P. G., | Thompson, |
| Clarke, | Jim, | Musto, | Tompkins, |
| Comer, | Johnson, A. W., | Naugle, | Trusio, |
| Crossin, | Johnson, R., | Needham, | Ujohal, |
| Curwood, | Jones, F. R., | Nelson, | Varallo, |
| Davis, | Jump, | O'Dell, | Varner, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Verona, |
| Dennison, | Kee, | Oglivie, | Wall, |
| Devlin, | Keiser, | O'Neill, | Walsh, |
| Donahue, | Kernaghan, | Parlante, | Wargo, |
| Donaldson, | Kessler, | Pashley, | Weidner, |
| Dougherty, | Knecht, | Perry, H. H., | Welsh, |
| Down, | Kooker, | Perry, P. E., | Wescott, |
| Edwards, | Kornick, | Petrosky, | Wheeler, |
| Ellberg, | Korna, | Polaski, | Whittaker, |
| Eshback, | Kovolenko, | Polen, | Williams, A. D., Jr., |
| Eshleman, | Kubitsky, | Prendergast, | Williams, E. S., |
| Ewing, | Lamb, | Price, | Willard, |
| Farabaugh, | Lee, A. M., | Pursley, | Willaredt, |
| Filo, | Lee, K. B., | Reibman, | Wilt, |
| Fineman, | Leonard, | Renwick, | Worley, |
| Floyd, | Limper, | Rigby, | Wynd, |
| Flynn, | Lippincott, | Riley, | Yatron, |
| Foerster, | Lopresti, | Rovansek, | Yetter, |
| Fox, | Luigard, | Royer, | Andrews, |
| Frank, | Lutty, | Rudisill, | Speaker |
| Frascella, | | | |

NAYS—6

| | | | |
|-----------|--------|-------|------------|
| Auker, | Magee, | Wood, | Zimmerman, |
| Holliday, | Merry, | | |

NOT VOTING—19

| | | | |
|-------------|-------------------|--------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr. | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P. | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1106, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) defining "educational secretary" and providing for their certification.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1280, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) increasing the minimum compensation of election officers in certain counties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections and apportionment.

Mr. TOMPKINS. I merely want to confirm this motion to recommit. In looking at this bill since we came from caucus, I find that in effect it nullifies election board official increases which we had approved previously this Session. For that reason I can see no reason why we should nullify what we have given to them. Therefore, I second the motion to recommit.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2018, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *" further regulating the salary of the first aid and mine rescue instructors.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROVANSEK. Mr. Speaker, House Bill 2018, Printer's No. 1976, all it does is increase the salaries and brings them up to about what the companies pay their instructors, or a difference of \$568 a year. That is all the bill does, and I would request that the Members vote for the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—96

| | | | |
|------------|-----------------|-------------------|------------|
| Ashton, | Fulmer, | Luigard, | Reibman, |
| Auker, | Galley, | McCandless, | Renwick, |
| Barton, | Garlock, | McCann, | Royer, |
| Bonner, | Goodrich, | McDonald, | Sakulsky, |
| Boris, | Gramlich, | McInroy, | Schaaf, |
| Bower, | Guthrie, | McLaughlin, | Seltzer, |
| Breth, | Hamilton, | Mahan, | Snare, |
| Buchanan, | Heffner, | Maxwell, | Snider, |
| Burns, | Hocker, | Miller, B. Z., | Stone, |
| Capano, | Holt, | Miller, H. G., | Stoner, |
| Cioffi, | Irviss, | Mills, | Thompson, |
| Clarke, | Jim, | Murphy, P. J., | Tompkins, |
| Davis, | Johnson, A. W., | Murray, H. P., | Trusio, |
| Dengler, | Kamyk, | Murray, P. G., | Verona, |
| Dennison, | Kessler, | Naugle, | Wall, |
| Donahue, | Knecht, | Nelson, | Weldner, |
| Down, | Korns, | O'Dell, | Welsh, |
| Ellberg, | Kovolenko, | O'Donnell, J. A., | Wheeler, |
| Ewing, | Lamb, | O'Neil, | Willaredt, |
| Farabaugh, | Lee, A. M., | Petrosky, | Wynd, |
| Filo, | Leonard, | Polaski, | Yatron, |
| Flynn, | Limper, | Prendergast, | Yetter, |
| Foerster, | Lippincott, | Price, | Andrews, |
| Fox, | Lopresti, | Pursley, | Speaker |
| Frank, | | | |

NAYS—75

| | | | |
|------------|---------------|----------------|-----------------------|
| Agnew, | Gelfand, | Markley, | Shupnik, |
| Anderson, | Heavey, | Meholchick, | Steckel, |
| Balthaser, | Holliday, | Merry, | Stewart, |
| Beil, | Horst, | Muldowney, | Stimmel, |
| Bowman, | Isaacs, | Mullen, | Sullivan, |
| Branca, | Jenkins, | Munley, | Taylor, |
| Capitolo, | Johnson, R., | Murray, J. J., | Varallo, |
| Cianfrani, | Jones, F. R., | Musto, | Varner, |
| Comer, | Jump, | Ogilvie, | Walsh, |
| Crossin, | Kee, | Parlante, | Wargo, |
| Curwood, | Kelser, | Pashley, | Wescott, |
| Devlin, | Kernaghan, | Perry, H. H., | Whittaker, |
| Dougherty, | Kooker, | Perry, P. E., | Williams, A. D., Jr., |
| Edwards, | Kornick, | Polen, | Williams, E. S., |
| Eshback, | Kubitsky, | Riley, | Willard, |
| Eshleman, | Lee, K. B., | Rovansek, | Wilt, |
| Floyd, | Lutty, | Scarcelli, | Wood, |
| Frascella, | Machmer, | Schuster, | Worley, |
| Gallagher, | Magee, | Sherman, | Zimmerman, |

NOT VOTING—38

| | | | |
|-------------|-------------------|--------------------|------------|
| Arlene, | George, | Mihm, | Schwartz, |
| Blair, | Gibb, | Monroe, | Silverman, |
| Boles, | Goldstein, J. H., | Moran, | Stank, |
| Brenninger, | Goldstein, M. H., | Murphy, A. J., Jr. | Stevens, |
| Brown, | Helm, | Needham, | Strausser, |
| Cooper, | Henzel, | O'Donnell, J. P. | Stroup, |
| Dennis, | Jones, T. H. W., | Odorisio, | Ujobal, |
| Donaldson, | Light, | Reidenbach, | Wilt, |
| Fetterolf, | McCormack, | Rigby, | |
| Fineman, | McKeever, | Rudisill, | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House Bill No. 2019, Printer's No. 1977, was passed over at request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2167, entitled:

An Act amending the "Public School Code of 1949" approved March 10 1949 (P. L. 30) regulating the number of hours in kindergarten.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCandless, | Schaaf, |
| Anderson, | Galley, | McCann, | Schuster, |
| Arlene, | Gallagher, | McDonald, | Seltzer, |
| Ashton, | Garlock, | McInroy, | Shupnik, |
| Balthaser, | George, | McLaughlin, | Silverman, |
| Barton, | Gibb, | Machmer, | Snare, |
| Blair, | Goldstein, M. H., | Mahan, | Snider, |
| Boles, | Goodrich, | Markley, | Stank, |
| Bonner, | Guthrie, | Maxwell, | Steckel, |
| Boris, | Hamilton, | Meholchick, | Stewart, |
| Bower, | Heavey, | Mihm, | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stone, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Taylor, |
| Capano, | Horst, | Murphy, P. J., | Thompson, |
| Capitolo, | Irviss, | Murray, H. P., | Tompkins, |
| Cianfrani, | Isaacs, | Murray, J. J., | Trusio, |
| Cioffi, | Jenkins, | Murray, P. G., | Ujobal, |
| Clarke, | Johnson, A. W., | Musto, | Varallo, |
| Comer, | Johnson, R., | Naugle, | Varner, |
| Crossin, | Jones, F. R., | Needham, | Verona, |
| Curwood, | Jump, | Nelson, | Wall, |
| Davis, | Kamyk, | O'Dell, | Walsh, |
| Dengler, | Kee, | O'Donnell, J. A., | Wargo, |
| Dennison, | Kelser, | Ogilvie, | Weldner, |
| Devlin, | Kernaghan, | O'Neil, | Welsh, |
| Donahue, | Kessler, | Perry, H. H., | Wescott, |
| Donaldson, | Knecht, | Perry, P. E., | Wheeler, |
| Dougherty, | Kooker, | Petrosky, | Whittaker, |
| Edwards, | Kornick, | Polaski, | Williams, A. D., Jr., |
| Ellberg, | Korns, | Polen, | Williams, E. S., |
| Eshback, | Kovolenko, | Prendergast, | Willard, |
| Eshleman, | Kubitsky, | Price, | Willaredt, |
| Ewing, | Lamb, | Pursley, | Wilt, |
| Farabaugh, | Lee, A. M., | Reibman, | Wood, |
| Filo, | Lee, K. B., | Renwick, | Worley, |
| Fineman, | Leonard, | Rigby, | Wynd, |
| Floyd, | Limper, | Riley, | Yatron, |
| Flynn, | Lippincott, | Rovansek, | Yetter, |
| Foerster, | Lopresti, | Royer, | Zimmerman, |
| Fox, | Luigard, | Rudisill, | Andrews, |
| Frank, | Lutty, | Sakulsky, | Speaker |
| Frascella, | | | |

NAYS—14

| | | | |
|----------|-----------|----------------|------------|
| Auker, | Gramlich, | Miller, B. Z., | Scarcelli, |
| Beil, | Jim, | Parlante, | Sherman, |
| Down, | Magee, | Pashley, | Sullivan, |
| Gelfand, | Merry, | | |

NOT VOTING—19

| | | | |
|-------------|-------------------|--------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr. | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P. | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 2457, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3 1937 (P. L. 1333) further regulating the residence qualification of electors.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McDonald, | Scarcell, |
| Anderson, | Galley, | McInroy, | Schaaf, |
| Arlene, | Gallagher, | McLaughlin, | Schuster, |
| Ashton, | Garlock, | Machmer, | Seltzer, |
| Auker, | George, | Magee, | Sherman, |
| Balthaser, | Gelfand, | Mahan, | Shupnik, |
| Barton, | Gibb, | Markley, | Silverman, |
| Bell, | Goldstein, M. H., | Maxwell, | Snare, |
| Blair, | Goodrich, | Meholchick, | Snider, |
| Boies, | Gramlich, | Merry, | Stank, |
| Bonner, | Guthrie, | Mihm, | Steckel, |
| Boris, | Hamilton, | Miller, B. Z., | Stimmel, |
| Bower, | Heavey, | Miller, H. G., | Stone, |
| Bowman, | Heffner, | Mills, | Stoner, |
| Branca, | Henzel, | Muldowney, | Strausser, |
| Breth, | Hocker, | Mullen, | Stroup, |
| Buchanan, | Holliday, | Munley, | Sullivan, |
| Burns, | Holt, | Murphy, P. J., | Taylor, |
| Capano, | Horst, | Murray, H. P., | Thompson, |
| Capitolo, | Irvis, | Murray, J. J., | Tompkins, |
| Cianfrani, | Jenkins, | Murray, P. G., | Trusio, |
| Cioffi, | Jim, | Musto, | Ujbai, |
| Clarke, | Johnson, A. W., | Naugle, | Varallo, |
| Comer, | Johnson, R., | Needham, | Varner, |
| Crossin, | Jones, F. R., | Nelson, | Verona, |
| Curwood, | Jump, | O'Dell, | Wall, |
| Davis, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dengler, | Kee, | Ogilvie, | Wargo, |
| Dennison, | Kelser, | O'Neill, | Weidner, |
| Devlin, | Kernaghan, | Parlante, | Welsh, |
| Donahue, | Kessler, | Pashley, | Wescott, |
| Donaldson, | Knecht, | Perry, H. H., | Wheeler, |
| Dougherty, | Kooker, | Perry, P. E., | Whittaker, |
| Down, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Edwards, | Korns, | Polaski, | Williams, E. S., |
| Ellberg, | Kovolenko, | Polen, | Willard, |
| Eshback, | Kubitsky, | Prendergast, | Willardt, |
| Eshleman, | Lamb, | Price, | Wilt, |
| Ewing, | Lee, A. M., | Pursley, | Wood, |
| Farabaugh, | Lee, K. B., | Reibman, | Worley, |
| Filo, | Leonard, | Renwick, | Wynd, |
| Fineman, | Limper, | Rigby, | Yatron, |
| Floyd, | Lippincott, | Riley, | Yetter, |
| Flynn, | Lopresti, | Rovansek, | Zimmerman, |
| Foerster, | Luigard, | Royer, | Andrews, |
| Fox, | Lutty, | Rudisill, | Speaker |
| Frank, | McCandless, | Sakulsky, | |
| Frascella, | McCann, | | |

NAYS—1

Isaacs,

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 87, entitled:

An Act making an appropriation to Carnegie Institute of Pittsburgh Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Scarcell, |
| Anderson, | Galley, | McDonald, | Schaaf, |
| Arlene, | Gallagher, | McInroy, | Schuster, |
| Ashton, | Garlock, | McLaughlin, | Seltzer, |
| Auker, | Gelfand, | Machmer, | Sherman, |
| Balthaser, | George, | Magee, | Shupnik, |
| Barton, | Gibb, | Mahan, | Silverman, |
| Bell, | Goldstein, M. H., | Markley, | Snare, |
| Blair, | Goodrich, | Maxwell, | Snider, |
| Boies, | Gramlich, | Meholchick, | Stank, |
| Bonner, | Guthrie, | Merry, | Steckel, |
| Boris, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stone, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Sullivan, |
| Capano, | Horst, | Murphy, P. J., | Taylor, |
| Capitolo, | Irvis, | Murray, H. P., | Thompson, |
| Cianfrani, | Isaacs, | Murray, J. J., | Tompkins, |
| Cioffi, | Jenkins, | Murray, P. G., | Trusio, |
| Clarke, | Jim, | Musto, | Ujbai, |
| Comer, | Johnson, A. W., | Naugle, | Varallo, |
| Crossin, | Johnson, R., | Needham, | Varner, |
| Curwood, | Jones, F. R., | Nelson, | Verona, |
| Davis, | Jump, | O'Dell, | Wall, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dennison, | Kee, | Ogilvie, | Wargo, |
| Devlin, | Kelser, | O'Neill, | Weidner, |
| Donahue, | Kernaghan, | Parlante, | Welsh, |
| Donaldson, | Kessler, | Pashley, | Wescott, |
| Dougherty, | Knecht, | Perry, H. H., | Wheeler, |
| Down, | Kooker, | Perry, P. E., | Whittaker, |
| Edwards, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Ellberg, | Korns, | Polaski, | Williams, E. S., |
| Eshback, | Kovolenko, | Polen, | Willard, |
| Eshleman, | Kubitsky, | Prendergast, | Willardt, |
| Ewing, | Lamb, | Price, | Wilt, |
| Farabaugh, | Lee, A. M., | Pursley, | Wood, |
| Filo, | Lee, K. B., | Reibman, | Worley, |
| Fineman, | Leonard, | Renwick, | Wynd, |
| Floyd, | Limper, | Rigby, | Yatron, |
| Flynn, | Lippincott, | Riley, | Yetter, |
| Foerster, | Lopresti, | Rovansek, | Zimmerman, |
| Fox, | Luigard, | Royer, | Andrews, |
| Frank, | Lutty, | Rudisill, | Speaker |
| Frascella, | McCandless, | Sakulsky, | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 139, entitled:

An Act amending the act of July 8 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Scarcelli, |
| Anderson, | Galley, | McDonald, | Schaaf, |
| Arlene, | Gallagher, | McInroy, | Schuster, |
| Ashton, | Garlock, | McLaughlin, | Seltzer, |
| Auker, | Gelfand, | Machmer, | Sherman, |
| Balthaser, | George, | Magee, | Shupnik, |
| Barton, | Gibb, | Mahan, | Silverman, |
| Bell, | Goldstein, M. H., | Markley, | Snare, |
| Blair, | Goodrich, | Maxwell, | Snider, |
| Boles, | Gramlich, | Meholchick, | Stank, |
| Bonner, | Guthrie, | Merry, | Steckel, |
| Boris, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stine, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Sullivan, |
| Capano, | Horst, | Murphy, P. J., | Taylor, |
| Capitolo, | Irviss, | Murray, H. P., | Thompson, |
| Cianfrani, | Isaacs, | Murray, J. J., | Tompkins, |
| Cioffi, | Jenkins, | Murray, P. G., | Trusio, |
| Clarke, | Jim, | Musto, | Ujobal, |
| Comer, | Johnson, A. W., | Naugle, | Varallo, |
| Crossin, | Johnson, R., | Needham, | Varner, |
| Curwood, | Jones, F. R., | Nelson, | Verona, |
| Davis, | Jump, | O'Dell, | Wall, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dennison, | Kee, | Ogilvie, | Wargo, |
| Devlin, | Kelser, | O'Neil, | Weidner, |
| Donahue, | Kernaghan, | Parlante, | Welsh, |
| Donaldson, | Kessler, | Pashley, | Wescott, |
| Dougherty, | Knecht, | Perry, H. H., | Wheeler, |
| Down, | Kooker, | Perry, P. E., | Whittaker, |
| Edwards, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Ellberg, | Korns, | Polaski, | Williams, E. S., |
| Eshback, | Kovolenko, | Polen, | Willard, |
| Eshleman, | Kubitsky, | Prendergast, | Willaredt, |
| Ewing, | Lamb, | Price, | Wilt, |
| Farabaugh, | Lee, A. M., | Pursley, | Wood, |
| Filo, | Lee, K. B., | Reibman, | Worley, |
| Fineman, | Leonard, | Renwick, | Wynd, |
| Floyd, | Limper, | Rigby, | Yatron, |
| Flynn, | Lippincott, | Riley, | Yetter, |
| Foerster, | Lopresti, | Rovansek, | Zimmerman, |
| Fox, | Luigard, | Royer, | Anderson, |
| Frank, | Lutty, | Rudisill, | Speaker |
| Frascella, | McCandless, | Sakulsky, | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|--------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr. | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P. | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Scarcelli, |
| Andrews, | Galley, | McDonald, | Schaaf, |
| Arlene, | Gallagher, | McInroy, | Schuster, |
| Ashton, | Garlock, | McLaughlin, | Seltzer, |
| Auker, | Gelfand, | Machmer, | Sherman, |
| Balthaser, | George, | Magee, | Snare, |
| Barton, | Gibb, | Mahan, | Snider, |
| Bell, | Goldstein, M. H., | Markley, | Shupnik, |
| Blair, | Goodrich, | Maxwell, | Silverman, |
| Boles, | Gramlich, | Meholchick, | Stank, |
| Bonner, | Guthrie, | Merry, | Steckel, |
| Boris, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stine, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Sullivan, |
| Capano, | Horst, | Murphy, P. J., | Taylor, |
| Capitolo, | Irviss, | Murray, H. P., | Thompson, |
| Cianfrani, | Isaacs, | Murray, J. J., | Tompkins, |
| Cioffi, | Jenkins, | Murray, P. G., | Trusio, |
| Clarke, | Jim, | Musto, | Ujobal, |
| Comer, | Johnson, A. W., | Naugle, | Varallo, |
| Crossin, | Johnson, R., | Needham, | Varner, |
| Curwood, | Jones, F. R., | Nelson, | Verona, |
| Davis, | Jump, | O'Dell, | Wall, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dennison, | Kee, | Ogilvie, | Wargo, |
| Devlin, | Kelser, | O'Neil, | Weidner, |
| Donahue, | Kernaghan, | Parlante, | Welsh, |
| Donaldson, | Kessler, | Pashley, | Wescott, |
| Dougherty, | Knecht, | Perry, H. H., | Wheeler, |
| Down, | Kooker, | Perry, P. E., | Whittaker, |
| Edwards, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Ellberg, | Korns, | Polaski, | Williams, E. S., |
| Eshback, | Kovolenko, | Polen, | Willard, |
| Eshleman, | Kubitsky, | Prendergast, | Willaredt, |
| Ewing, | Lamb, | Price, | Wilt, |
| Farabaugh, | Lee, A. M., | Pursley, | Wood, |
| Filo, | Lee, K. B., | Reibman, | Worley, |
| Fineman, | Leonard, | Renwick, | Wynd, |
| Floyd, | Limper, | Rigby, | Yatron, |
| Flynn, | Lippincott, | Riley, | Yetter, |
| Foerster, | Lopresti, | Rovansek, | Zimmerman, |
| Fox, | Luigard, | Royer, | Anderson, |
| Frank, | Lutty, | Rudisill, | Speaker |
| Frascella, | McCandless, | Sakulsky, | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|--------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr. | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P. | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frank, | Lutty, | Scarcelli, |
| Anderson, | Frascella, | McCandless, | Schuster, |
| Arlene, | Gallagher, | McCann, | Seltzer, |
| Ashton, | Gelfand, | McDonald, | Sherman, |
| Auker, | George, | McInroy, | Silverman, |
| Balthaser, | Gibb, | McLaughlin, | Snare, |
| Barton, | Goldstein, M. H., | Magee, | Snider, |
| Bell, | Goodrich, | Mahan, | Stank, |
| Blair, | Gramlich, | Markley, | Steckel, |
| Boles, | Guthrie, | Maxwell, | Stimmel, |
| Bonner, | Hamilton, | Meholchick, | Stone, |
| Boris, | Heavey, | Merry, | Stoner, |
| Bower, | Heffner, | Mihm, | Strausser, |
| Bowman, | Henzel, | Miller, B. Z., | Stroup, |
| Branca, | Holliday, | Miller, H. G., | Sullivan, |
| Breth, | Holt, | Mills, | Taylor, |
| Buchanan, | Horst, | Muldowney, | Thompson, |
| Burns, | Irvins, | Mullen, | Tompkins, |
| Capano, | Isaacs, | Munley, | Trusio, |
| Capitolo, | Jenkins, | Murphy, P. J., | Ujobal, |
| Cianfrani, | Jim, | Murray, H. P., | Varallo, |
| Cioffi, | Johnson, A. W., | Murray, J. J., | Verona, |
| Clarke, | Johnson, R., | Murray, P. G., | Wall, |
| Comer, | Jones, F. R., | Musto, | Walsh, |
| Crossin, | Jump, | Naugle, | Wargo, |
| Curwood, | Kamyk, | Needham, | Weidner, |
| Davis, | Kee, | Nelson, | Welsh, |
| Dengler, | Kelser, | O'Dell, | Wescott, |
| Dennison, | Kernaghan, | O'Donnell, J. A., | Wheeler, |
| Devlin, | Kessler, | Parlante, | Whittaker, |
| Donahue, | Knecht, | Pashley, | Williams, A. D., Jr., |
| Donaldson, | Kooker, | Perry, P. E., | Williams, E. S., |
| Dougherty, | Kornick, | Petrosky, | Willard, |
| Down, | Korns, | Polaski, | Willardt, |
| Edwards, | Kovolenko, | Prendergast, | Wilt, |
| Ellberg, | Kubitsky, | Pursley, | Wood, |
| Eshback, | Lamb, | Reibman, | Worley, |
| Ewing, | Lee, A. M., | Renwick, | Wynd, |
| Farabaugh, | Lee, K. B., | Rigby, | Yatron, |
| Filo, | Leonard, | Riley, | Yetter, |
| Fineman, | Limper, | Rovansek, | Zimmerman, |
| Floyd, | Lippincott, | Rudisill, | Andrews, |
| Flynn, | Lopresti, | Sakulsky, | Speaker |
| Foerster, | Luigard, | | |
| Fox, | | | |

NAYS—14

| | | | |
|-----------|----------|---------------|----------|
| Eshleman, | Hocker, | Perry, H. H., | Schaaf, |
| Fulmer, | Machmer, | Price, | Shupnik, |
| Gailey, | Ogilvie, | Royer, | Wood, |
| Garlock, | O'Neill, | | |

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odoriso, |
| Brown, | Helm, | Monroe, | Reldenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the completion of a girls' dormitory.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Scarcelli, |
| Anderson, | Gailey, | McDonald, | Schaaf, |
| Arlene, | Gallagher, | McInroy, | Schuster, |
| Ashton, | Garlock, | McLaughlin, | Seltzer, |
| Auker, | Gelfand, | Machmer, | Sherman, |
| Balthaser, | George, | Magee, | Shupnik, |
| Barton, | Gibb, | Mahan, | Silverman, |
| Bell, | Goldstein, M. H., | Markley, | Snare, |
| Blair, | Goodrich, | Maxwell, | Snider, |
| Boles, | Gramlich, | Meholchick, | Stank, |
| Bonner, | Guthrie, | Merry, | Steckel, |
| Boris, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stone, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Sullivan, |
| Capano, | Horst, | Murphy, P. J., | Taylor, |
| Capitolo, | Irvins, | Murray, H. P., | Thompson, |
| Cianfrani, | Isaacs, | Murray, J. J., | Tompkins, |
| Cioffi, | Jenkins, | Murray, P. G., | Trusio, |
| Clarke, | Jim, | Musto, | Ujobal, |
| Comer, | Johnson, A. W., | Naugle, | Varallo, |
| Crossin, | Johnson, R., | Needham, | Varner, |
| Curwood, | Jones, F. R., | Nelson, | Verona, |
| Davis, | Jump, | O'Dell, | Wall, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dennison, | Kee, | Ogilvie, | Wargo, |
| Devlin, | Kelser, | O'Neill, | Weidner, |
| Donahue, | Kernaghan, | Parlante, | Welsh, |
| Donaldson, | Kessler, | Pashley, | Wescott, |
| Dougherty, | Knecht, | Perry, H. H., | Wheeler, |
| Down, | Kooker, | Perry, P. E., | Whittaker, |
| Edwards, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Ellberg, | Korns, | Polaski, | Williams, E. S., |
| Eshback, | Kovolenko, | Prendergast, | Willard, |
| Ewing, | Kubitsky, | Price, | Wilt, |
| Farabaugh, | Lamb, | Pursley, | Wood, |
| Filo, | Lee, A. M., | Reibman, | Worley, |
| Fineman, | Lee, K. B., | Renwick, | Wynd, |
| Floyd, | Leonard, | Rigby, | Yatron, |
| Flynn, | Limper, | Riley, | Yetter, |
| Foerster, | Lippincott, | Rovansek, | Zimmerman, |
| Fox, | Lopresti, | Royer, | Andrews, |
| Frank, | Luigard, | Rudisill, | Speaker |
| Frascella, | Lutty, | Sakulsky, | |
| | McCandless, | | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odoriso, |
| Brown, | Helm, | Monroe, | Reldenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Galley, | McDonald, | Scarcelli, |
| Anderson, | Gallagher, | McInroy, | Schaaf, |
| Arlene, | Garlock, | McLaughlin, | Schuster, |
| Ashton, | Gelfand, | Machmer, | Seltzer, |
| Auker, | George, | Magee, | Sherman, |
| Balthaser, | Gibb, | Mahan, | Shupnik, |
| Barton, | Goldstein, M. H., | Markley, | Silverman, |
| Bell, | Goodrich, | Maxwell, | Snare, |
| Blair, | Gramlich, | Meholchick, | Snider, |
| Boles, | Guthrie, | Merry, | Stank, |
| Bonner, | Hamilton, | Mihm, | Steckel, |
| Boris, | Heavey, | Miller, B. Z., | Stewart, |
| Bower, | Heffner, | Miller, H. G., | Stimmel, |
| Bowman, | Henzel, | Mills, | Stone, |
| Branca, | Hocker, | Muldowney, | Stoner, |
| Breth, | Holliday, | Mullen, | Strausser, |
| Buchanan, | Holt, | Munley, | Stroup, |
| Burns, | Horst, | Murphy, P. J., | Sullivan, |
| Capano, | Irvie, | Murray, H. P., | Taylor, |
| Capitolo, | Isaacs, | Murray, J. J., | Thompson, |
| Cianfrani, | Jenkins, | Murray, P. G., | Tompkins, |
| Cioffi, | Jim, | Musto, | Trusio, |
| Clarke, | Johnson, A. W., | Naugle, | Ujobal, |
| Comer, | Johnson, R., | Needham, | Varallo, |
| Crossin, | Jones, F. R., | Nelson, | Varnier, |
| Curwood, | Jump, | O'Dell, | Verona, |
| Davis, | Kamyk, | O'Donnell, J. A., | Wall, |
| Dengler, | Kee, | Ogilvie, | Walsh, |
| Dennison, | Kelser, | O'Neil, | Wargo, |
| Devlin, | Kernaghan, | Parlante, | Weldner, |
| Donahue, | Kessler, | Pashley, | Welsh, |
| Donaldson, | Knecht, | Perry, H. H., | Wescott, |
| Dougherty, | Kooker, | Perry, P. E., | Wheeler, |
| Down, | Kornick, | Petrosky, | Whittaker, |
| Edwards, | Korns, | Polaski, | Williams, A.D., Jr., |
| Eilberg, | Kovolenko, | Polen, | Williams, E. S., |
| Eshback, | Kubitsky, | Prendergast, | Willard, |
| Eshleman, | Lamb, | Price, | Willaredt, |
| Ewing, | Lee, A. M., | Pursley, | Wilt, |
| Farabaugh, | Lee, K. B., | Reibman, | Wood, |
| Filo, | Leonard, | Renwick, | Worley, |
| Fineman, | Limper, | Rigby, | Wynd, |
| Floyd, | Lippincott, | Riley, | Yatron, |
| Flynn, | Lopresti, | Rovansek, | Yetter, |
| Fox, | Luigard, | Royer, | Zimmerman, |
| Frank, | Lutty, | Rudisill, | Andrews, |
| Frascella, | McCandless, | Sakulsky, | Speaker |
| Fulmer, | McCann, | | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------------|
| Brenninger, | Foerster, | McCormack, | O'Donnell, J. P., |
| Brown, | Goldstein, J. H., | McKeever, | Odorisio, |
| Cooper, | Helm, | Monroe, | Reidenbach, |
| Dennis, | Jones, T. H. W., | Moran, | Schwartz, |
| Fetterolf, | Light, | Murphy, A. J., Jr., | Stevens, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|-----------|------------|-------------|------------|
| Agnew, | Fulmer, | McCann, | Scarcelli, |
| Anderson, | Galley, | McDonald, | Schaaf, |
| Arlene, | Gallagher, | McInroy, | Schuster, |
| Ashton, | Garlock, | McLaughlin, | Seltzer, |

| | | | |
|------------|-------------------|-------------------|----------------------|
| Auker, | Gelfand, | Machmer, | Sherman, |
| Balthaser, | George, | Magee, | Shupnik, |
| Barton, | Gibb, | Mahan, | Silverman, |
| Bell, | Goldstein, M. H., | Markley, | Snare, |
| Blair, | Goodrich, | Maxwell, | Snider, |
| Boles, | Gramlich, | Meholchick, | Stank, |
| Bonner, | Guthrie, | Merry, | Steckel, |
| Boris, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stone, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Sullivan, |
| Capano, | Horst, | Murphy, P. J., | Taylor, |
| Capitolo, | Irvie, | Murray, H. P., | Thompson, |
| Cianfrani, | Isaacs, | Murray, J. J., | Tompkins, |
| Cioffi, | Jenkins, | Murray, P. G., | Trusio, |
| Clarke, | Jim, | Musto, | Ujobal, |
| Comer, | Johnson, A. W., | Naugle, | Varallo, |
| Crossin, | Johnson, R., | Needham, | Varnier, |
| Curwood, | Jones, F. R., | Nelson, | Verona, |
| Davis, | Jump, | O'Dell, | Wall, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dennison, | Kee, | Ogilvie, | Wargo, |
| Devlin, | Kelser, | O'Neil, | Weldner, |
| Donahue, | Kernaghan, | Parlante, | Welsh, |
| Donaldson, | Kessler, | Pashley, | Wescott, |
| Dougherty, | Knecht, | Perry, H. H., | Wheeler, |
| Down, | Kooker, | Perry, P. E., | Whittaker, |
| Edwards, | Kornick, | Petrosky, | Williams, A.D., Jr., |
| Eilberg, | Korns, | Polaski, | Williams, E. S., |
| Eshback, | Kovolenko, | Polen, | Willard, |
| Eshleman, | Kubitsky, | Prendergast, | Willaredt, |
| Ewing, | Lamb, | Price, | Wilt, |
| Farabaugh, | Lee, A. M., | Pursley, | Wood, |
| Filo, | Lee, K. B., | Reibman, | Worley, |
| Fineman, | Leonard, | Renwick, | Wynd, |
| Floyd, | Limper, | Rigby, | Yatron, |
| Flynn, | Lippincott, | Riley, | Yetter, |
| Fox, | Lopresti, | Rovansek, | Zimmerman, |
| Frank, | Luigard, | Royer, | Andrews, |
| Frascella, | Lutty, | Rudisill, | Speaker |
| Fulmer, | McCandless, | Sakulsky, | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|------------|-------------|------------|
| Agnew, | Fulmer, | McCandless, | Sakulsky, |
| Anderson, | Galley, | McCann, | Scarcelli, |
| Arlene, | Gallagher, | McDonald, | Schaaf, |
| Ashton, | Garlock, | McInroy, | Schuster, |
| Auker, | Gelfand, | McLaughlin, | Seltzer, |
| Balthaser, | George, | Machmer, | Sherman, |

| | | | |
|---|---|---|---|
| Barton, Bell, Blair, Boies, Bonner, Boris, Bower, Bowman, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Filio, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, | Gibb, Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, | Magee, Mahan, Markley, Maxwell, Meholchick, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanskek, Royer, Rudisill, | Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Walsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willardt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|---|---|

NAYS—0

NOT VOTING—19

| | | | |
|---|--|--|---|
| Brenninger, Brown, Cooper, Dennis, Fetterolf, | Goldstein, J. H., Helm, Jones, T. H. W., Light, McCormack, | McKeever, Monroe, Moran, Murphy, A. J., Jr. O'Donnell, J. P. | Odorisio, Reidenbach, Schwartz, Stevens, |
|---|--|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1158, entitled:

An Act amending the act of May 20 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (Pamphlet Laws 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|--|---|--|---|
| Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Boies, Bonner, Boris, Bower, Bowman, Branca, Breth, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Crossin, Curwood, Davis, Dengler, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Filio, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, | Fulmer, Galley, Gallagher, Garlock, Gelfand, George, Gibb, Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irviss, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, | Lutty, McCandless, McCann, McDonald, McInroy, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Merry, Mihm, Miller, B. Z., Miller, H. G., Mills, Meholchick, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanskek, Royer, | Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Walsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willardt, Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|--|---|

NAYS—0

NOT VOTING—19

| | | | |
|---|--|--|---|
| Brenninger, Brown, Cooper, Dennis, Fetterolf, | Goldstein, J. H., Helm, Jones, T. H. W., Light, McCormack, | McKeever, Monroe, Moran, Murphy, A. J., Jr. O'Donnell, J. P. | Odorisio, Reidenbach, Schwartz, Stevens, |
|---|--|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents income and the proceeds of the resale of such lands.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCandless, | Sakulsky, |
| Anderson, | Galley, | McCann, | Scarcelli, |
| Arlene, | Gallagher, | McDonald, | Schaaf, |
| Ashton, | Garlock, | McInroy, | Schuster, |
| Auker, | Gelfand, | McLaughlin, | Seltzer, |
| Balthaser, | George, | Machmer, | Sherman, |
| Barton, | Gibb, | Magee, | Shupnik, |
| Bell, | Goldstein, M. H., | Mahan, | Silverman, |
| Blair, | Goodrich, | Markley, | Snare, |
| Boles, | Gramlich, | Maxwell, | Snider, |
| Bonner, | Guthrie, | Meholchick, | Stank, |
| Boris, | Hamilton, | Merry, | Steckel, |
| Bower, | Heavey, | Mihm, | Stewart, |
| Bowman, | Heffner, | Miller, B. Z., | Stimmel, |
| Branca, | Henzel, | Miller, H. G., | Stone, |
| Breth, | Hocker, | Mills, | Stoner, |
| Buchanan, | Holliday, | Muldowney, | Strausser, |
| Burns, | Holt, | Mullen, | Stroup, |
| Capano, | Horst, | Munley, | Sullivan, |
| Capitolo, | Irviss, | Murphy, P. J., | Taylor, |
| Cianfrani, | Isaacs, | Murray, H. P., | Thompson, |
| Cioffi, | Jenkins, | Murray, J. J., | Tompkins, |
| Clarke, | Jim, | Murray, P. G., | Trusio, |
| Comer, | Johnson, A. W., | Musto, | Ujobai, |
| Crossin, | Johnson, R., | Naugle, | Varallo, |
| Curwood, | Jones, F. R., | Needham, | Varnier, |
| Davis, | Jump, | Nelson, | Verona, |
| Dengler, | Kamyk, | O'Dell, | Wall, |
| Dennison, | Kee, | O'Donnell, J. A., | Walsh, |
| Devlin, | Kelser, | Ogilvie, | Wargo, |
| Donahue, | Kernaghan, | O'Neill, | Weldner, |
| Dougherty, | Kessler, | Parlante, | Welsh, |
| Donaldson, | Knecht, | Pashley, | Wescott, |
| Down, | Kooker, | Perry, H. H., | Wheeler, |
| Edwards, | Kornick, | Perry, P. E., | Whittaker, |
| Elberg, | Korns, | Petrosky, | Williams, A. D., Jr., |
| Eshback, | Kovolenko, | Polaski, | Williams, E. S., |
| Eshleman, | Kubitsky, | Polen, | Willard, |
| Ewing, | Lamb, | Prendergast, | Willaredt, |
| Farabaugh, | Lee, A. M., | Price, | Wilt, |
| Filo, | Lee, K. B., | Pursley, | Wood, |
| Fineman, | Leonard, | Reibman, | Worley, |
| Floyd, | Light, | Renwick, | Wynd, |
| Flynn, | Limper, | Rigby, | Yatron, |
| Foerster, | Lippincott, | Riley, | Yetter, |
| Fox, | Lopresti, | Rovansek, | Zimmerman, |
| Frank, | Luigard, | Royer, | Andrews, |
| Frascella, | Lutty, | Rudisill, | Speaker |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 1175, Printer's No. 1437 was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts

of land in the Borough of West Chester Chester County for use of the West Chester State Teachers' College.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Scarcelli, |
| Anderson, | Galley, | McDonald, | Schaaf, |
| Arlene, | Gallagher, | McInroy, | Schuster, |
| Ashton, | Garlock, | McLaughlin, | Seltzer, |
| Auker, | Gelfand, | Machmer, | Sherman, |
| Balthaser, | George, | Magee, | Shupnik, |
| Barton, | Gibb, | Mahan, | Silverman, |
| Bell, | Goldstein, M. H., | Markley, | Snare, |
| Blair, | Goodrich, | Maxwell, | Snider, |
| Boles, | Gramlich, | Meholchick, | Stank, |
| Bonner, | Guthrie, | Merry, | Steckel, |
| Boris, | Hamilton, | Mihm, | Stewart, |
| Bower, | Heavey, | Miller, B. Z., | Stimmel, |
| Bowman, | Heffner, | Miller, H. G., | Stone, |
| Branca, | Henzel, | Mills, | Stoner, |
| Breth, | Hocker, | Muldowney, | Strausser, |
| Buchanan, | Holliday, | Mullen, | Stroup, |
| Burns, | Holt, | Munley, | Sullivan, |
| Capano, | Horst, | Murphy, P. J., | Taylor, |
| Capitolo, | Irviss, | Murray, H. P., | Thompson, |
| Cianfrani, | Isaacs, | Murray, J. J., | Tompkins, |
| Cioffi, | Jenkins, | Murray, P. G., | Trusio, |
| Clarke, | Jim, | Musto, | Ujobai, |
| Comer, | Johnson, A. W., | Naugle, | Varallo, |
| Crossin, | Johnson, R., | Needham, | Varnier, |
| Curwood, | Jones, F. R., | Nelson, | Verona, |
| Davis, | Jump, | O'Dell, | Wall, |
| Dengler, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dennison, | Kee, | Ogilvie, | Wargo, |
| Devlin, | Kelser, | O'Neill, | Weldner, |
| Donahue, | Kernaghan, | Parlante, | Welsh, |
| Donaldson, | Kessler, | Pashley, | Wescott, |
| Dougherty, | Knecht, | Perry, H. H., | Wheeler, |
| Down, | Kooker, | Perry, P. E., | Whittaker, |
| Edwards, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Elberg, | Korns, | Polaski, | Williams, E. S., |
| Eshback, | Kovolenko, | Polen, | Willard, |
| Eshleman, | Kubitsky, | Prendergast, | Willaredt, |
| Ewing, | Lamb, | Price, | Wilt, |
| Farabaugh, | Lee, A. M., | Pursley, | Wood, |
| Filo, | Lee, K. B., | Reibman, | Worley, |
| Fineman, | Leonard, | Renwick, | Wynd, |
| Floyd, | Limper, | Rigby, | Yatron, |
| Flynn, | Lippincott, | Riley, | Yetter, |
| Foerster, | Lopresti, | Rovansek, | Zimmerman, |
| Fox, | Luigard, | Royer, | Andrews, |
| Frank, | Lutty, | Rudisill, | Speaker |
| Frascella, | McCandless, | Sakulsky, | |

NAYS—0

NOT VOTING—19

| | | | |
|-------------|-------------------|---------------------|-------------|
| Brenninger, | Goldstein, J. H., | McKeever, | Odorisio, |
| Brown, | Helm, | Monroe, | Reidenbach, |
| Cooper, | Jones, T. H. W., | Moran, | Schwartz, |
| Dennis, | Light, | Murphy, A. J., Jr., | Stevens, |
| Fetterolf, | McCormack, | O'Donnell, J. P., | |

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTION

CONGRATULATIONS

Mrs. KOOKER, Mrs. B. Z. MILLER, Mrs. KERNAGHAN, Mrs. HENZEL and Mrs. MARKLEY offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 19, 1959.

Today marks the birthday of one of our distaff members, Mrs. Ruth S. Donahue, a member of this House since 1955.

Without counting the number of birthdays that have passed, Mrs. Donahue was born this 19th day of November, at Cedar Spring, Pennsylvania.

In representing the people of her communities, Mrs. Donahue has demonstrated her ability and sincerity and has done much as a member of this House of Representatives to foster sound and needed legislation; therefore be it

Resolved, That this House of Representatives extends its heartiest good wishes to Ruth S. Donahue on this her birthday, with the sincere hope that she may long continue to lend her services to the better interests of her community and the accomplishments of this House of Representatives.

Members joined in singing "Happy Birthday" led by Mr. Dengler.

The SPEAKER. The Chair recognizes the lady from Clinton, Mrs. Donahue.

Mrs. DONAHUE. Mr. Speaker, I thank the ladies for this most flattering resolution. I also want to thank all the Members present for the "Happy Birthday." For the three terms I have been here I have enjoyed this friendship and I am very grateful for the many kindnesses shown to me. Thank you.

RESOLUTION

CONGRATULATIONS

Mr. SCARCELLI (on behalf of the members of the Philadelphia Delegation) offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, November 19, 1959.

The Honorable James J. Dougherty, a member of this House since 1949, served this session as Chairman of the Philadelphia Democratic Delegation.

The fidelity and dedication which he brought to his post and the efficiency with which he executed his duties are of such high quality that the members of the House are impelled to take formal note of his achievements.

The value of his services to the City of Philadelphia is immeasurable, and that city has never been better represented in this hall than it is in the person of Jim Dougherty. Although never forgetting that he is first a Pennsylvanian, he has constantly championed the cause of Philadelphia with such earnestness that now every member of this House is aware of Philadelphia's problems, and with that understanding has come sympathy; therefore be it

Resolved, That the members of the House of Representatives congratulate James J. Dougherty on a good job well done and that the members of the Philadelphia Democratic Delegation for themselves and on behalf of the people of Philadelphia express their gratitude for his service; and be it further

Resolved, That a copy of this resolution be presented to James J. Dougherty.

Mr. SCARCELLI. Mr. Speaker, I wish to call Representative James Dougherty to the microphone.

The SPEAKER. The gentleman from Philadelphia, Mr. Dougherty, will proceed forthwith to the microphone and join Mr. Scarcelli.

Mr. SCARCELLI. Mr. Speaker, on behalf of the Philadelphia Democratic delegation, I wish to present to Jim Dougherty this resolution on the work he has done for Philadelphia, the great city.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. Thank you, Vince.

Now I do not know what to say. You got me this time. I am very thankful to the Members of this House, especially to the finest delegation that I have ever been connected with. I only wish they would think as much of me as I think of them. Let me tell you this: They have been called wooden Indians and what not, but I want to tell you that when we get behind the doors of the caucus room we have to slug it out. It is not one man just waving a magic wand, and coming up with the answer. I have to fight for it.

I want to thank every Member of this House for giving me this wonderful gift.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2455, entitled:

An Act amending the Act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class * * *" further regulating payments to the widow and children of members who are killed while on duty.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KAMYK offered the following amendments:

Amend Sec. 1 (Sec. 9), page 4, line 6, by inserting brackets before and after "When" and inserting immediately thereafter "In addition, when."

Amend Sec. 1 (Sec. 9), page 4, lines 8 and 9, by striking out "in lieu of payment of a sum of money equal to all dues paid by him into the fund without interest."

Amend Sec. 1 (Sec. 9), page 4, lines 17 and 18, by striking out "but shall not be less than the sum of all dues paid by the member into the fund without interest."

Amend Sec. 1 (Sec. 9), page 5, lines 13 to 19, by striking out "Such payments shall be made in lieu of" in line 13 and all of lines 14 to 19.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2456, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 2, 1935 (P. L. 233) further regulating payments to the widow and children of members who are killed while on duty.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KAMYK offered the following amendments.

Amend Sec. 1 (Sec. 11), page 3, line 12, by inserting brackets before and after "When" and inserting immediately thereafter: "In addition, when."

Amend Sec. 1 (Sec. 11), page 3, lines 14 to 18, by striking out "in lieu of payment of all dues paid by him" in line 14, all of lines 15 to 17, and "subsection (3) of section 8 hereof" in line 18.

Amend Sec. 1 (Sec. 11), page 4, lines 7 to 10, by strik-

ing out "Provided That such pay—" in line 7, and all of lines 8 to 10.

Amend Sec. 1 (Sec. 11), page 5, lines 7 to 15, by striking out "Such payments shall be made in lieu of" in line 7, and all of lines 8 to 15.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1078

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1078.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1080

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1080.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1081

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1081.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1082

Mr. McCANN. Mr. Speaker, I present the report of the Committee on Conference on House Bill No. 1082.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1083

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1083.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1084

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1084.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1099

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1099.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1512

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1512.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1513.

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1513.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1514

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1514.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1515

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1515.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1516

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1516.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1881

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1881.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 959

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 959.

The SPEAKER. The report will lie over for printing under the Rules.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 24.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 24.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY
SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 1179.

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate Bill No. 1179.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 623.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prescribing penalties for using obscene or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another.

HOUSE BILL No. 660.

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business.

HOUSE BILL No. 910.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further providing for the computation and payment of tuition charges for none-resident pupils.

HOUSE BILL No. 991.

An Act amending the act of June 8, 1907 (P. L. 496) entitled "An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries * * * and making an appropriation therefor authorizing cities of the first class to remove wharves piers bulkheads pilings or other harbor structures which have not been used for three years and which are no longer capable of being used for the purpose for which they are constructed under certain terms and conditions.

HOUSE BILL No. 1213.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) further regulating the payment of costs for the care of patients and limiting liability for such payment.

HOUSE BILL No. 1443.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" eliminating requirement for the submission of revised plans when mergers are not assented to by electors.

HOUSE BILL No. 2021.

An Act repealing clause (c.2) of section 9 act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs.

HOUSE BILL No. 2120.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) prescribing an alternative method for fixing the rates of certain common carriers.

HOUSE BILL No. 2175.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) validating certain unions of school districts.

HOUSE BILL No. 2364.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation.

SENATE BILL No. 184.

An Act amending the title and act of June 25, 1937 (P. L. 2123) entitled "An act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons" extending the provisions of the act to include certain persons connected with radio and television stations.

SENATE BILL No. 428.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" permitting additional methods of sharing annual lease rentals for projects constructed for more than one school district.

SENATE BILL No. 446.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" establishing a registration fee for motor vehicles operated by certain persons subject to the Public Utility Commission and certain municipality authorities.

SENATE BILL No. 447.

An Act amending the act of June 22, 1931 (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" exempting from the tax the owners or operators of certain vehicles.

SENATE BILL No. 449.

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "The Liquid Fuels Tax Act" providing for deductions from the amount of moneys paid to counties.

SENATE BILL No. 471.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" changing provisions relating to declaration and payment of dividends and the granting of loans.

SENATE BILL No. 472.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" authorizing banking institutions to invest funds administered by such institutions and to invest funds of employee pension welfare and benefit plans of which they are trustees agents or custodians in common trust funds maintained by them.

SENATE BILL No. 473.

An Act authorizing trustees of employee benefit plans to transfer the assets of such plans in trust to corporate trustees for investment, reinvestment and maintenance and providing for the powers duties and liabilities of such trustees.

SENATE BILL No. 1093.

An Act to provide for the incorporation of Business Development Credit Corporations to assist promote encourage develop and advance the business prosperity and economic welfare of the Commonwealth defining the powers restrictions limitations purposes and functions of such corporations conferring powers on certain corporations and financial institutions in connection therewith and conferring certain powers and duties on the Department of Banking.

SENATE BILL No. 1180.

An Act amending the act of May 13, 1925 (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes exempting associations of firemen.

SENATE BILL No. 1223.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing that certain assistant county superintendents may be appointed to serve two or more counties jointly.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, I ask that all the Members stay with us tomorrow morning at 10:00 o'clock. We will work as fast as possible and get out of here as soon as we can tomorrow, Friday. We have a lot to concur and to non-concur in.

ADJOURNMENT

Mr. SULLIVAN. Mr. Speaker, I move that this House do now adjourn until Friday, November 20, 1959 at 10:00 a. m. EST.

The motion was agreed to, and (at 7:28 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., FRIDAY, NOVEMBER 20, 1959.

No. 115.

SENATE

FRIDAY, NOVEMBER 20, 1959.

The Senate met at 10:00 o'clock, a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Our dear heavenly Father, as we approach our national Thanksgiving Day, we realize how good Thou hast been to us and how many things Thou hast given to us. Many of them we do not understand or even appreciate, and not the least of them is that we are living in a land where a boy or girl from a poor and humble home can rise to the top in the church, in government, in business, in industry and in every walk of life. We pray that we may always keep it that way in our land.

We thank Thee for what Thou hast given us here, and we know that Thou hast many more things in store for us. Perhaps we are not worthy of them, but because of Thy great love for us, Thou art continually pouring Thy blessings out. We receive them and, in our way, we thank Thee.

We pray that Thou will accompany us to our homes, guide us there and when we return, that we may be renewed in vigor and strength and courage and faith to do the work for which Thou hast called us.

We ask it in Thy Holy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. WAGNER, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 24

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and township, for their road, street and bridge purposes; . . . continuing a conditional appropriation beyond the calendar year of 1958.

SENATE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 24

Mr. BERGER. Mr. President, I move that the Senate do recede from its non-concurrence in the amendments made by the House to Senate Bill No. 24, Printer's No. 1155.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 24

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 24.

Mr. PROPERT. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 1179

He also presented communication from the House of Representatives informing the Senate that the House in-

sists upon its amendments non-concurred in by the Senate to Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569), entitled "Korean Conflict Veterans' Compensation Act," deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation.

SENATE RECEDES FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1179

Mr. BERGER. Mr. President, I move that the Senate do recede from its non-concurrence in the amendments made by the House to Senate Bill No. 1179, Printer's No. 1550.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 1179

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1179.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 2324, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

Mr. BERGER asked and obtained unanimous consent for the immediate consideration of the Report of Committee of Conference on House Bill No. 2324.

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 2324.

Mr. SHAFER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE SENATE HOUSE BILL No. 1822

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and agreed to:

In the House of Representatives, November 9, 1959.

Resolved (if the Senate concur), That House Bill No. 1822, Printer's No. 1806, entitled:

An Act amending the "State Council of Civil Defense Act of 1951," approved March 19, 1951 (P. L. 28), making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

be recalled from the Senate for further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 505

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 505, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

The PRESIDENT. This report of Committee of Conference will appear on the Calendar of the next session of the Senate.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2218

He also informed the Senate that the House has adopted the Report of Committee of Conference on House Bill No. 2218, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes, for the reduction of the bonded indebtedness of the Commonwealth.

The PRESIDENT. This Report of Committee of Conference will appear on the Calendar of the next session of the Senate.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 866, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing names of State Teachers' Colleges.

Which was committed to the Committee on Rules.

House Bill No. 2167, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), regulating the number of hours in a school year.

Which was committed to the Committee on Rules.

House Bill No. 2457, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the residence qualifications of electors.

Which was committed to the Committee on Rules.

SENATE BILL No. 139 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 139, entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School . . ." fixing the salaries, increments and added compensation of teachers and supervisors.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on the Calendar of the next session of the Senate.

SENATE BILL No. 1043 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1043, entitled:

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; . . ." further providing for the giving of copies of notes of testimony in criminal cases.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on the Calendar of the next session of the Senate.

SENATE BILL No. 1238 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1238, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts," increasing the compensation of judges of the County Court and Juvenile Court of Allegheny County.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on the Calendar of the next session of the Senate.

HOUSE CONCURS IN SENATE BILL No. 87

He also returned to the Senate, Senate Bill No. 87, entitled:

An Act making an appropriation to the Carnegie Institute, Pittsburgh.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 217

He also returned to the Senate, Senate Bill No. 217, entitled:

An Act making an appropriation to the One-hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 295

He also returned to the Senate, Senate Bill No. 295, entitled:

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 445

He also returned to the Senate, Senate Bill No. 445, entitled:

An Act making an appropriation to the Downingtown Industrial and Agriculture School, Downingtown, Pennsylvania, for the completion of a girl's dormitory.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 545

He also returned to the Senate, Senate Bill No. 545, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the con-

struction of a shrine to house the replica of the Liberty Bell.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 711

He also returned to the Senate, Senate Bill No. 711, entitled:

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 863

He also returned to the Senate, Senate Bill No. 863, entitled:

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1158

He also returned to the Senate, Senate, Bill No. 1158, entitled:

An Act amending the act of May 20, 1949 (P. L. 1593), entitled "An Act to repeal the act, approved the twenty-eighth day of July, one thousand nine hundred forty-one (Phamplet Laws 535), entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments, and prescribing the procedure therefor,' in so far as it relates to counties of the second class and cities, boroughs, townships and school districts situate in such counties," extending the application thereof to counties of the first class and cities and school districts located within such counties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1161

He also returned to the Senate, Senate Bill No. 1161, entitled:

An Act amending the act of July 5, 1947 (P. L. 1258), entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale, lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents, income and the proceeds of the resale of such lands.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 1194

He also returned to the Senate, Senate Bill No. 1194, entitled:

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester, Chester

County, for the use of the West Chester State Teachers' College.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 160,
Senate Bill No. 379,
Senate Bill No. 380,
House Bill No. 623,
Senate Bill No. 868,
House Bill No. 910,
Senate Bill No. 940,
Senate Bill No. 971,
House Bill No. 991,
Senate Bill No. 1059,
Senate Bill No. 1106,
Senate Bill No. 1133,
Senate Bill No. 1182,
House Bill No. 1213,
House Bill No. 1443,
House Bill No. 2021,
House Bill No. 2120,
House Bill No. 2175, and
House Bill No. 2364.

RECONSIDERATION OF CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 24

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which it concurred in the amendments placed by the House to Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities, boroughs, incorporated towns and township, for their road, street and bridge purposes; . . . continuing a conditional appropriation beyond the calendar year of 1959.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

RECONSIDERATION OF VOTE BY WHICH SENATE RECEDED FROM ITS NON-CONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 24

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which it receded from its non-concurrence in the amendments placed by the House to Senate Bill No. 24.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

The PRESIDENT. The bill will be laid on the table.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION TIME OF NEXT MEETING

Mr. BERGER offered the following resolution, which was read, considered and agreed to:

In the Senate, November 20, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, November 30, 1959, at three o'clock P. M., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Monday, November 30, 1959, at a time fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECESS

Mr. BERGER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules, to be held in the office of the President pro tempore.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

SENATE BILL No. 118 RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on the Calendar of the next session of the Senate.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Rules, reported as amended, House Bill No. 446, entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

He also, from the Committee on Rules reported as amended House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers authorizing the Department of Health to enforce rules and regulations of the Commission as provided in this act establishing Regional Air Pollution Control Associations and defining their powers reserving powers to local political subdivisions and defining the relationship between this act and the ordinances resolutions and regulations of counties cities boroughs towns and townships imposing penalties for violation of this act and providing for the power to enjoin violations of this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor.

He also, from the Committee on Rules reported as committed, House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer, * * *, and making other technical changes therein.

He also, from the Committee on Rules reported as committed, House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), changing definition of final average salary for classroom teachers with thirty-five or more years of service.

He also, from the Committee on Rules reported as committed, House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County, to the Juniata Valley Council of the Boy Scouts of America.

He also, from the Committee on Rules reported as committed, House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR, OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1572, Printer's No. 1825, on concurrence in House amendments, recalled from the Governor, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on concurrence in House amendments, go over in their order:

Senate Bill No. 107, Printer's No. 1458;
Senate Bill No. 453, Printer's No. 1594;
Senate Bill No. 785, Printer's No. 1595; and
Senate Bill No. 1220, Printer's No. 1607.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 864

The Senate proceeded to the consideration of the report of Committee of Conference on Senate Bill No. 864, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

On the question,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 864

Mr. BERGER. Mr. President, I move that the Senate adopt the report of the Committee of Conference on Senate Bill No. 864.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliot, | Mallory, | Scott, | Werner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the Report of Committee of Conference on House Bill No. 1207, Printer's No. 1987, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1861

The Senate proceeded to the consideration of the report of Committee of Conference on House Bill No. 1861, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the building known as Pennhurst Annex No 1 located at Samuel G Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

On the question,

Will the Senate adopt the report of the Committee of Conference?

Mr. ELLIOTT. Mr. President, as a member of the Conference Committee on House Bill No. 1861, Printer's No. 1988, I went along with the committee and approved the Conference Committee Report, and signed the Conference Committee Report. I did so, I must say, a little reluctantly and under pressure; reluctantly because it meant that an amendment which I had hoped would have added several hundred additional beds for the mentally retarded would not be maintained. This was an amendment which had professional medical support, and an amendment which had the support of, certainly, many of my colleagues in the Senate. However, it had to be withdrawn, but it was an amendment which, in its real meaningfulness and importance, would, I thought, have helped alleviate the situation where we do have at least 3,000 mentally retarded people waiting to get in somewhere; waiting to get in somewhere badly, I should say. For example, in The Philadelphia Inquirer, of Thursday Morning, November 19, 1959, there was an article about these mentally ill children who languish at the Youth Study Center in Philadelphia. It called the center "a bureaucratic no man's land." However, it emphasizes the fact that there just are not enough institutions and not enough beds for these people to go to.

This is the only thing that we were trying to provide in this amendment, and it was with reluctance that it was given up. The pressure was internal pressure; pressure not put on me from the outside, but pressure which I put on myself because of certain innocent victims of this whole scheme. First of all, concerning the people who are employed at the Miner State Hospital at Hamburg, if this bill were not approved, these people could not be paid. These are then innocent victims, who are not allowed to be paid simply because of a technical problem connected with this bill.

Of course, the real innocent victims were those 600 or 700 mentally retarded people who eventually, and I hope soon, will be moved into the Miner State Hospital at Hamburg. Were this bill not passed, these people could not be moved into the hospital, and they would then certainly be innocent victims.

Therefore, to avoid further delay and for these reasons,—and also because long ago I stood on this floor and said that I would not see this bill fall simply because of an amendment, which, while trying to get more beds for patients, apparently was not able to fit into the scheme of things and would hold up the bill—I did sign this report and I am now about to move for its adoption by the Senate.

Mr. SEYLER. Mr. President, I want to commend the Senator for his remarks, and say that it is refreshing to have such a description of the operation of such an old-fashioned entity as conscience within the breast of a Senator of the Senate of Pennsylvania.

And the question recurring,

Will the Senate adopt the report of the Committee of Conference?

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 1861

Mr. ELLIOTT. Mr. President, I move that the Senate adopt the report of the Committee of Conference on House Bill No. 1861.

Mr. SEYLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

REVENUE BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1112, Printer's No. 1427, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 162, entitled:

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded the third reading and consideration of House Bill No. 253, entitled:

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confar, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that Senate Bill No. 413, Printer's No. 445, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 626, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making appropriation.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confar, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. PROPERT. Mr. President, I ask unanimous consent that Senate Bill No. 663, Printer's No. 1601, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 725, Printer's No. 1618; and
House Bill No. 871, Printer's No. 1735.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 900, Printer's No. 1193;
House Bill No. 1079, Printer's No. 732;
House Bill No. 1085, Printer's No. 733;
House Bill No. 1086, Printer's No. 734;
House Bill No. 1087, Printer's No. 735;
House Bill No. 1088, Printer's No. 736;
House Bill No. 1089, Printer's No. 737;
House Bill No. 1090, Printer's No. 738;
House Bill No. 1091, Printer's No. 739;
House Bill No. 1092, Printer's No. 740;
House Bill No. 1093, Printer's No. 741;
House Bill No. 1094, Printer's No. 1966;
House Bill No. 1095, Printer's No. 743;
House Bill No. 1096, Printer's No. 744;
House Bill No. 1097, Printer's No. 745;
House Bill No. 1098, Printer's No. 746;
House Bill No. 1121, Printer's No. 1205; and
House Bill No. 1122, Printer's No. 1235.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1162, entitled:

An Act amending the act of June 25, 1895 (P. L. 275) entitled "City Classification Law" changing the mode for the advance in classification of cities upon their increase in population.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---------|---------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |

| | | | |
|---|--|---|--|
| Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliot, Flack, Fleming, Harney, | Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|---|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1189, Printer's No. 1591; and
House Bill No. 1195, Printer's No. 1268.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

Senate Bill No. 1204, Printer's No. 1483;
Senate Bill No. 1241, Printer's No. 1572; and
Senate Bill No. 1242, Printer's No. 1573.

BILL ON THIRD READING AND FINAL PASSAGE

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I do want this bill to pass but I would like to have the recipient here. However, we will pass the bill with the recipient in absentia.

Mr. President, it has been suggested by Senator Shafer, which is undoubtedly correct, that Senator Sarraf is out of the Senate Chamber because modesty would indicate that he should be absent.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|---|--|--|--|
| Barr, Berger, Blass, Camiel, Chapman, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., | McMenamin, Miller, Mullin, Murray, Pechan, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, |
|---|--|--|--|

| | | | |
|--|---|---|--|
| Confair, DiSilvestro, Donolow, Ehrgood, Elliot, Flack, Fleming, Harney, | Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, | Propert, Ripp, Rooney, Ruth, Scott, Seyler, Shafer, | Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|--|---|---|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 1324, Printer's No. 566;
House Bill No. 1325, Printer's No. 567;
House Bill No. 1327, Printer's No. 568;
House Bill No. 1328, Printer's No. 569;
House Bill No. 1589, Printer's No. 646; and
House Bill No. 1647, Printer's No. 1817.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat and providing a penalty for the violation thereof.

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|---|--|--|
| Barr, Berger, Blass, Camiel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliot, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|---|--|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1915, entitled:

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mallery, | Sarraf, | Watkins, |
| Elliott, | McCreesh, | Scott, | Weiner, |
| Flack, | McGinnis, | Seyler, | Whalley, |
| Fleming, | McMenamin, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1980, Printer's No. 1116, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LANE. Mr. President, I ask unanimous consent that House Bill No. 2150, Printer's No. 2007, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2192, Printer's No. 2001; and
House Bill No. 2193, Printer's No. 2002.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on third reading, go over in their order:

House Bill No. 2382, Printer's No. 2041; and
House Bill No. 2394, Printer's No. 2042.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent

that House Bill No. 2417, Printer's No. 1793, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2436, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing time for payment of certain portions of salary and expenses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing the compensation of members of the General Assembly.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Harney, | McCreesh, | Seyler, |
| Berger, | Hays, | McGinnis, | Shafer, |
| Blass, | Kalman, | McMenamin, | Silver, |
| Camiel, | Keller, | Miller, | Stevenson, |
| Chapman, | Kessler, | Mullin, | Stiefel, |
| Confair, | Koprivier, Jr., | Murray, | Van Sant, |
| DiSilvestro, | Kromer, | Ripp, | Wagner, |
| Donolow, | Lane, | Rooney, | Walker, |
| Ehrgood, | Madigan, | Ruth, | Watkins, |
| Elliott, | Mahady, | Sarraf, | Weiner, |
| Flack, | Mallery, | Scott, | Wolfe, |
| Fleming, | | | |

NAYS—5

| | | | |
|----------|---------|-------|----------|
| Pechan, | Taylor, | Wade, | Whalley, |
| Propert, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 117, Printer's No. 822, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 203, Printer's No. 1862, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

Senate Bill No. 364, Printer's No. 391;
House Bill No. 432, Printer's No. 1858; and
House Bill No. 506, Printer's No. 1964.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAHADY. Mr. President, I ask unanimous consent that House Bill No. 652, Printer's No. 1882, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 924, Printer's No. 1087, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 976, entitled:

An Act providing for the lapsing of fifty per centum of certain unexpended appropriations and appropriating the remaining fifty per centum to the state teacher's college which has such unexpended funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 1117, Printer's No. 1335, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1161, Printer's No. 1375; and
House Bill No. 1172, Printer's No. 1736.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1178, Printer's No. 1995, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1251, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1261, Printer's No. 1795, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1344, Printer's No. 1876; and
House Bill No. 1380, Printer's No. 1810.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent

that the following bills, on second reading, go over in their order:

House Bill No. 1473, Printer's No. 1996; and
House Bill No. 1474, Printer's No. 1997.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1608, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1610, entitled:

An Act amending the act of June 29, 1953 (P. L. 300) entitled "An act providing for compliance with Federal law and the approval of certain institutions providing for inspections of such institutions conferring powers and imposing duties on the Department of Welfare and imposing penalties" abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1611, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "Adoption Law" by abolishing the advisory committee on adoption standards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1612, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" eliminating the necessity of approval by the State Board of Public Assistance of certain standards rules and regulations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1613, entitled:

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind . . ." transferring functions from the State Council for the Blind to the Department of Public Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1734, entitled:

An Act creating an Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity in the use of funds appropriated by the act of July 7, 1955 (P. L. 258) entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 1830, Printer's No. 1999; and
House Bill No. 1927, Printer's No. 1889.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1948, entitled:

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated or offered for dedication where no formal record appears as to acceptance by the political subdivision as public parks squares or similar uses and public buildings and no longer necessary or practicable for such purposes and granting orphans' courts jurisdiction with respect thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1954, entitled:

An Act lapsing a balance of an appropriation made from the Motor License Fund to the Department of Highways in section 4 of the act of September 3, 1955 (Appropriation Act No. 18-A).

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 1971, Printer's No. 1679, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SEYLER. Mr. President, I ask unanimous consent that House Bill No. 1977, Printer's No. 2000, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 1981, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" providing for the deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that the following bills, on second reading, go over in their order:

House Bill No. 2108, Printer's No. 1890; and
House Bill No. 2209, Printer's No. 2038.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 2277, Printer's No. 1690, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2291, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the sale of starter pistols to minors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 2316, Printer's No. 1774, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2338, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" to define certain terms to modify eligibility and disqualification provisions payments and rates of compensation to revise and increase rates of contribution to limit scope of contribution appeals and to repeal certain provisions concerning employes under Shipping Articles.

The first, second, third, fourth, fifth and sixth sections were read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Section 7, Section 401, page 36, by adding a new line 21 as follows: "* * *"

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Section 8, Section 402, page 40, line 10, by adding after the word "subsection" the following: "(2)".

It was agreed to.

The section was agreed to as amended.

The ninth, tenth, eleventh and twelfth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2362, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employes' Retirement Code of 1959" making technical changes and clarifying language.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2383, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments claims and liens.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 2402, Printer's No. 1798, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2408, entitled:

An Act amending the act of September 23, 1959 (Act No. 381) entitled "An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties" further regulating the height of fences around premises used for raising mink.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2419, entitled:

An Act amending the act of August 5, 1941 (P. L. 752) entitled "Civil Service Act" conferring rights on certain provisional employes and war-duration appointees.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of House Bill No. 2425, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employes' Retirement Code of 1959" providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuants and requiring school employes who are members of the General Assembly to give notice of election in certain cases.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 2431, Printer's No. 2039, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE RESOLUTION, SERIAL No. 75, CALLED UP

Mr. BERGER. Mr. President, I call up, from page 24 of today's Calendar, Senate Resolution, Serial No. 75.

The PRESIDENT. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the Joint State Government Commission to study alternative measures of the local ability to finance public education.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 75, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt this resolution.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION No. 102 CALLED UP

Mr. BERGER. Mr. President, I call up, from page 24 of today's Calendar, House Concurrent Resolution No. 102.

The PRESIDENT. Is there objection? The Chair hears none.

The title of the resolution was read by the Clerk as follows:

Directing the State Council Civil Defense to consult with the Atomic Energy Commission on defense measures.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 102

Mr. BERGER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 145, 319, 399, 535, 901, 902, 916, 975, 1050, 1052, 1055, 1062 and 1068

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 145, Printer's No. 154, entitled "An Act amending the act of July 7, 1947 (P. L. 1368) entitled 'Real Estate Tax Sale Law' further providing for methods of notification changing the date of tax sales limiting agreements to stay sales and increasing costs allowed relative to sales."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 319, Printer's No. 344, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' making it a misdemeanor to enter any building with intent to commit a crime and fixing the penalty therefor."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 399, Printer's No. 780, entitled "An act amending the act of April 29, 1959 (Act No. 32) entitled 'The Vehicle Code' providing for the furnishing of an abstract of the record of investigation of any vehicle accident and prescribing a fee for such record."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 535, Printer's No. 571, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'An act relating to cities of the third class and amending revising and consolidating the law

relating thereto' changing tax levy provisions when land and buildings are taxed separately."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 901, Printer's No. 1246, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' further regulating increase of capital stock by stock insurance companies."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 902, Printer's No. 1247, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company Law of 1921' providing that domestic stock life insurance companies may purchase shares of stock of other insurance companies transacting like classes of business and temporarily hold the same solely for the purpose of acquiring the business and assets of such other company."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 916, Printer's No. 1079, entitled "An Act amending the act of May 13, 1927 (P. L. 1011) entitled 'A supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating a department of city planning providing for its organization and powers regulating the platting of ground prohibiting the recording of plans and sales of lots therein before their approval under penalties making it a misdemeanor for the recorder of deeds to record an unapproved plan restricting accepting laying out opening and improving private streets prohibiting the erection of buildings on land not abutting on public streets or streets not shown on the official master plan or an approved plat transferring to the department of city planning powers conferred by other statutes over plats or subdivisions of land the reservation of locations of mapped streets for future use and authorizing the assessment of damages for same the preparation and compilation of an official street map providing penalties for the violation of this act and repealing certain statutes' further regulating the powers of the department of city planning over plats or subdivisions of land."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 975, Printer's No. 1147, entitled "An Act relating to property held for minors by political subdivisions prescribing procedures for the substitution of fiduciaries granting powers and imposing duties on the Orphans' Court and authorizing such substituted fiduciaries to establish and maintain common trust funds for the investment and reinvestment of the moneys of the estates of minors of which they may be guardians providing for the administration of funds so established and prescribing the nature and kinds of investments which may be made therein."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1050, Printer's No. 1241, entitled "An Act amending the act of June 28, 1947 (P. L. 1110) entitled 'Motor Vehicle Sales Finance Act' permitting the resale retransfer or reassignment of installment sale contracts to the installment sellers from whom such contracts were originally acquired."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1052, Printer's No. 1250, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' clarifying the provisions excepting certain work from the provision which makes worldly employment unlawful on Sunday."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1055, Printer's No. 1253, entitled "An Act amending the act of May 19, 1887 (P. L. 138) entitled 'An act providing for payment of costs in criminal cases by the proper county' providing for payment of costs in nonsupport cases."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1062, Printer's No. 1342, entitled "An Act amending the act of April 29, 1959 (P. L. 58) 'The Vehicle Code' authorizing public authorities to reduce speed limits on streets which are not through highways OR main arteries of traffic OR STATE HIGHWAYS."

DAVID L. LAWRENCE.

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1068, Printer's No. 1266, entitled "An Act amending the act of April 12, 1951 (P. L. 90) entitled 'Liquor Code' further regulating the keeping of liquor in packages without official seals and prohibiting certain actions in regard to official seals."

DAVID L. LAWRENCE.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SENATE BILL No. 1116 RETURNED WITHOUT APPROVAL

November 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 1116, Printer's No. 1334, entitled "An Act amending the act of May 1, 1929 (P. L. 1216), entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision

of resident and nonresident real estate brokers and real estate salesmen and their business' redefining real estate broker and salesman and deleting the provisions relating to limited licenses."

This bill amends the "Real Estate Brokers License Act of one thousand nine hundred and twenty nine." Its purpose is to revise the meaning of "Real Estate Broker" and "Salesman" and hence to limit the act's regulatory scope so as not to include any officer or employe of a cemetery company who might sell cemetery plots, lots and the like.

Under the present law, those who seek to engage in such activity must be approved by the State Real Estate Commission as persons who on the basis of their backgrounds may be expected to deal honorably with the public. The existence of such law, as it has been diligently enforced by the Commission, has enabled our State, unlike many others to avoid the "racket" which specializes in the sale of "bogus" cemetery lots.

However, our fortunate condition would be jeopardized by the enactment of this amendment. It would exempt persons engaged in the sale of cemetery lots from the regulatory scope of this act without providing for any effective substitute form of public protection. This bill therefore is not in the public interest.

Our position has the support of the State Real Estate Commission which goes beyond foreseeing the public harm to predicting the harm to the real estate profession, itself, which may follow from this amendment. For, the Commission recognizes that while the amendment may exempt cemetery lots from the Real Estate Licensing Law, the public will not observe the distinction. Should the sales of these lots be made in an unscrupulous manner, the public will identify them, as it has in the past, as real estate transaction and hold the real estate profession responsible.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE.

The PRESIDENT. The communication, together with the bill, will be laid on the table.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 446, entitled:

An Act relating to the legitimacy of children born of void or voidable marriages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2170, entitled:

An Act to provide for the better protection of the health, general welfare and property of the people of the Commonwealth by the control, abatement, reduction and prevention of the pollution of the air by smokes, dusts, fumes, gases, odors, mists, vapors, pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers authorizing the Department of Health to enforce rules and regulations of the Commission as provided in this act establishing Regional Air Pollution Control Associations and defining their powers reserving powers to local political subdivisions and defining the relationship between this act and the ordinances, resolutions and regulations of counties, cities,

boroughs, towns and townships imposing penalties for violation of this act and providing for the power to enjoin violations of this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2273, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), by redefining certain terms including retail dealer and wholesale dealer, * * *, and making other technical changes therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2371, entitled:

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), changing definition of final average salary for classroom teachers with thirty-five or more years of service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Forests and Waters, to convey one hundred sixteen acres, more or less, of land situate in Potter Township, Centre County, to the Juniata Valley Council of the Boy Scouts of America.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 2446, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

Senate Bill No. 87,
Senate Bill No. 217,
Senate Bill No. 295,
Senate Bill No. 445,
Senate Bill No. 545,
Senate Bill No. 711,
Senate Bill No. 863,
Senate Bill No. 1158,
Senate Bill No. 1161, and
Senate Bill No. 1194.

PETITIONS AND REMONSTRANCES

Mr. VAN SANT. Mr. President, during this past week we have had on our Calendar Senate Bill No. 1204, which today appears on Third Reading on page 10.

This bill was introduced on September 29, 1959, and was in the Rules Committee until a little over a week ago when the bill was reported to the floor. In that period of time, there was no objection to Senate Bill No. 1204, but force has created much pressure and caused me personal embarrassment in regard to the contents of that bill.

I would like to preface my remarks with a further statement that I am not speaking with personal animosity, but rather taking this means as the quickest means to advise the citizenry of Pennsylvania that some misinformation has gone into their hands regarding this bill.

Unfortunately, I do not have a copy of the flyer that has been sent out. However, evidently it has gone to over 11,000 inspection stations here in the Commonwealth of Pennsylvania.

I have been receiving, in the past two days, telegrams containing erroneous material, some of which are nasty in their content in so far as my sponsorship of the bill is concerned.

It has been reported to these stations—I hope to have a copy of that flyer before I finish speaking—that the cost involved in the installation of the brake testing equipment, or the brake measuring equipment, would run between \$1,700 and \$2,000. I would like to break down that information with a telegram that I have received from the Motor Vehicle Research Institute:

"The national list price of the best motor vehicle research brake meter is \$69.50 to any garage."

This is a big avenue of error, the difference between \$1,700 to \$2,000 and \$69.50.

In order to further establish my figure, I contacted the Inspection Department of the Bureau of Highway Safety and, at that time, they told me that this equipment has already been approved. It has been approved by the Bureau of Highway Safety of the Commonwealth of Pennsylvania, and is available to inspection stations. Again, the cost is cited as being less than seventy dollars.

I would like to side-step rather briefly and point out the embarrassment that was caused me. On one day this week, a delegation of businessmen from my community took time from their businesses to come here to Harrisburg to sit with me and talk with me, a group with whom I have always had the finest relations and always co-operated within so far as their legislation is concerned, and that is a record of nine years' standing.

I have now received a copy of the bulletin that has gone out. For the record, I would like to read it:

"A legislative proposal (Senate Bill 1204) was introduced in the Senate by Senators Van Sant and Sarraf, which would require every Pennsylvania Inspection Station to purchase a brake testing device, and it is in position for final passage in the Senate.

"The bill reads:"—I will not read the bill because it is on the record. The next paragraph states:

"This is entirely unnecessary and would mean an expenditure on your part of up to nearly \$2,000, depending on the type of brake testing machine you would be required to purchase.

"As you know, under present law all motor vehicles are checked for brake lining, brake hose

and the vehicle is road tested. A brake testing machine would serve no purpose.

"TAKE THIS ACTION IMMEDIATELY—and this is capitalized.

It continues:

"Wire the sponsors of this proposal, namely, Senator John T. Van Sant, Lehigh County, and Senator George J. Sarraf, Allegheny County, Senate Chamber, Main Capitol Building, Harrisburg, Pennsylvania, expressing your objection to this proposal and requesting the bill be recommitteed to committee."

In order to save these men the price of a telegram is one of the primary reasons I have taken the floor here, in order to call attention to the fact that there is no need to send this telegram, nor am I discussing the merit of the bill, but only pointing out that they have in their possession a flyer which misrepresents the facts.

Therefore, I would ask the press and the other Senators, who I know are going to be called by this group while we are in recess, to explain that this information is incorrect.

I never, in the nine years that I have been a Member of this General Assembly, have ever hoped nor ever wanted to get on the floor of the Senate or the House and take this means of attacking someone. For that reason, I have avoided names of persons and organizations, and I do not want in any way to embarrass them. However, at the same time, when they start causing personal embarrassment for me or any other Member of this General Assembly, I wish they would get their facts straight and present them to the members of their organization in a true and correct form.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 1:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:00 o'clock, p. m., Eastern Standard Time.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

SENATE CONCURRENT RESOLUTION RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Concurrent Resolution, entitled "Time of Next Meeting," with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The amended resolution was read by the Clerk as follows:

In the Senate, November 20, 1959.

Resolved (the House of Representatives concurring), that when the Senate adjourns this week, it reconvene Monday, November 30, 1959, at Three o'clock P. M., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, December 1, 1959, at a time fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE CONCURRENT RESOLUTION

Mr. RUTH. Mr. President, I move that the Senate do concur in the amendments made by the House to the resolution just read by the Clerk.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to and the amendments were concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1614

He also presented a communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1614, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers; giving additional powers to the Department of Public Welfare in connection with youth development centers; providing for reimbursement by counties for expenses of minors committed to youth development centers; and making an appropriation.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 2447

He also presented a communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2447, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judges and Judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and juvenile Court of Allegheny County,***" changing the compensation of members of the General Assembly.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House, as follows:

House Bill No. 319, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to,

and remodeling of, existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills:

House Bill No. 355,
House Bill No. 672,
Senate Bill No. 1179,
House Bill No. 1316,
House Bill No. 1592,
House Bill No. 1614,
House Bill No. 2037,
House Bill No. 2260,
House Bill No. 2314,
House Bill No. 2324,
House Bill N. 2412,
House Bill No. 2414,
House Bill No. 2436, and
House Bill No. 2447.

SENATE MESSAGE

AMENDED SENATE RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Resolution numbered and entitled as follows:

SENATE RESOLUTION

In the Senate, November 20, 1959.

Resolved, (the House of Representatives concurring), that when the Senate adjourns this week, it reconvene Monday, November 30, 1959 at three o'clock p.m., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, December 1, 1959, at a time fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

ADJOURNMENT

Mr. WAGNER. Mr. President, I move that the Senate do now adjourn until Monday, November 30, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:31 o'clock, p.m., Eastern Standard Time, until Monday, November 30, 1959, at 3:00 o'clock, p.m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

FRIDAY, November 20, 1959

The House met at 10:00 a.m. EST.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Lord God of all life, and the Father of all mankind, Thou art the hope of each one of us; without Thee and Thy abiding assurance man cannot expect to find the peace and security which Thou hast promised. Our hope is in Thee. Lift us to such a level of living that with positive faith and steadfast convictions we may witness to our fellowmen of that active hope which stirs and motivates our actions. Ever keep alive that hope within each of us that as the days go by the future may belong to us because of the dependency which we place in Thee. And to Thee be the honor and the glory forever and ever. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection ,the approval of the Journal for Thursday, November 19, 1959 will be postponed until printed.
The Chair hears none.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1227.

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

Referred to the Committee on Rules.

SENATE BILL No. 1233.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" changing names of State Teachers' Colleges.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 379

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 379.

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 16, 1959.

Resolved (if the Senate concur) that House Bill No. 2429, Printer's No. 1835, entitled "An act making an appropriation to the Department of Public Welfare and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred fifty-nine and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May 31, 1959 and limiting the amount thereof available for administrative expenses," be recalled from the Governor for further consideration.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 160.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners under certain conditions.

SENATE BILL No. 380.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

SENATE BILL No. 971.

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" changing contribution and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts providing for multiple service credit in the case of certain members of the General Assembly changing the income limitation for disability annuitants and providing a death benefit after ten years of service in certain cases regulating payment by the retirement board to credit unions in certain cases and restricting assignment of rights after payment for default.

SENATE BILL No. 1059.

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

SENATE BILL No. 1133.

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

SENATE BILL No. 1182.

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL No. 810

The Clerk of the Senate being introduced, informed that the Senate insists on its noncurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

And has appointed Messrs. WADE, PROPERT and RUTH a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 355.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

HOUSE BILL No. 672.

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) authorizing the use of money in the "fish fund" for an engineering survey of the Susquehanna River.

HOUSE BILL No. 1316.

An Act amending the act of June 2, 1937 (P. L. 1183) entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

HOUSE BILL No. 2037.

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

HOUSE BILL No. 2260.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) providing for levying assessment and collection of taxes by certain independent school districts.

HOUSE BILL No. 2314.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing and clarify-

ing the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitations with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

HOUSE BILL No. 2412.

An Act amending the act of September 8, 1959 (Act No. 330) entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

HOUSE BILL No. 2414.

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) providing for payment to posts of the Italian-American World War Veterans of the United States Incorporated.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 2173, 2261 and 2297.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 534, 578, 804, 1496, 1729, 1898, 1968, 2028, 2084, 2165, 2181, 2363, 2377, 2403 and 2405.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 534, Printer's No. 1521, entitled "An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Ebensburg for defraying the Commonwealth's share of expenses and charges in connection with capital improvements to the Ebensburg State School.

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 578, Printer's No. 1819, entitled "An Act amending the act of May 3, 1933 (P. L. 242) entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties' changing eligibility requirements for examination."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 804, Printer's No. 1681, entitled "An Act AMENDING THE act of June 13, 1836 (P. L. 551) entitled 'An act relating to roads highways and bridges' AUTHORIZING THE SECRETARY OF HIGHWAYS TO DETERMINE THE MAXIMUM WIDTH OF PUBLIC HIGHWAYS."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1496, Printer's No. 1003, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College and making an appropriation."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1729, Printer's No. 1051, entitled "An Act amending the act of July 29, 1953 (P. L. 1440) entitled 'An act providing for the construction and equipping of the Pennsylvania Institution for Defective Delinquents providing for the acquisition of land providing for the reception confinement treatment care maintenance and control of inmates imposing duties and conferring powers on the Department of Justice Department of Property and Supplies and the General State Authority' designating the State Correctional Institution at Dallas for the Pennsylvania Institution for Defective Delinquents."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1898, Printer's No. 1687, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey .623 acres more or less of land situate in the city of Erie County of Erie."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1968, Printer's No. 1896, entitled "An Act imposing a tax on real estate for public school purposes in school districts of the first class AND FIRST CLASS A for current expenses."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2028, Printer's No. 1830, entitled "An Act amending the act of May 2, 1925 (P. L. 448) entitled 'The Fish Law of 1925' further regulating the licensing and operation of man made lakes and ponds where fishing is permitted upon payment of fees."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2084, Printer's No. 1556, entitled "An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2165, Printer's No. 1841, entitled "An Act amending the act of April 12, 1951 (P. L. 90) entitled 'Liquor Code' further regulating the application for an issuance or transfer of hotel restaurant and club liquor licenses."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2181, Printer's No. 1586, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' penalizing acts of malicious mischief to REAL OR personal property."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2363, Printer's No. 1668, entitled "An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School System creating a special fund in the custody of the State Treasurer imposing duties on the Public School Employees' Retirement Board and making an appropriation."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2377, Printer's No. 1717, entitled "An Act amending the act of April 12, 1951 (P. L. 90) entitled 'Liquor Code' further regulating the issuance of new hotel restaurant and club liquor licenses."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2403, Printer's No. 1821, entitled "An Act amending the act of May 27, 1957 (P. L. 203) entitled 'An act authorizing the Department of Highways with the approval of the Governor to erect and maintain a high level bridge over the Allegheny River in Freeport Armstrong County and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages' changing the location at which the bridge is to be erected."

DAVID L. LAWRENCE

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2405, Printer's No. 1748, entitled "An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended 'The Realty Transfer Tax Act' further defining the word 'document'."

DAVID L. LAWRENCE

BILLS ON SECOND READING

Agreeably to order,

The House preceeded to the second reading and consideration of House Bill No. 2295, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) changing provisions concerning limitations of actions and proceedings by information and warrant and imposing costs for failure to appear in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House preceeded to the second reading and consideration of Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House preceeded to the second reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employes in such cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House preceeded to the second reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House preceeded to the second reading and consideration of Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and

executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House preceeded to the second reading and consideration of Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission Law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. McDONALD for today.

Mrs. Varallo for Mr. MULLIN for today because of illness

Mrs. Varallo for Mr. BRANCA for today because of illness.

Mr. Tompkins for Mr. GIBB for today.

Mr. Tompkins for Mr. WILT for today

Mr. Tompkins for Mr. DONALDSON for today.

Mr. Tompkins for Mr. VARNER for today.

Mr. Tompkins for Mr. HEFFNER for today.

Mr. Tompkins for Mr. UJOBAL for today.

Mr. Tompkins for Mr. BRENNINGER for today

Mr. Tompkins for Mr. T. H. JONES for today

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 118, entitled:

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frank, | McCandless, | Rovansek, |
| Anderson, | Frascella, | McCann, | Sakulsky, |
| Arlene, | Fulmer, | McInroy, | Scarcelli, |
| Balthaser, | Galley, | McLaughlin, | Schaaf, |
| Barton, | Gallagher, | Machmer, | Schuster, |
| Bell, | Garlock, | Magee, | Seltzer, |
| Blair, | Gelfand, | Mahan, | Sherman, |
| Boles, | George, | Markley, | Shupnik, |
| Bonner, | Goldstein, M. H., | Maxwell, | Snare, |
| Boris, | Goodrich, | Meholchick, | Snider, |
| Bower, | Gramlich, | Merry, | Stank, |
| Bowman, | Hamilton, | Mihm, | Steckel, |
| Breth, | Henzel, | Miller, B. Z., | Stewart, |
| Buchanan, | Hocker, | Miller, H. G., | Stimmel, |
| Burns, | Holliday, | Mills, | Stone, |
| Capano, | Holt, | Muldowney, | Stoner, |
| Capitolo, | Horst, | Murray, P. J., | Sullivan, |
| Cianfrani, | Irviss, | Murray, H. P., | Taylor, |
| Cioffi, | Isaacs, | Murray, J. J., | Thompson, |
| Clarke, | Jenkins, | Musto, | Tompkins, |
| Comer, | Jim, | Needham, | Trusio, |
| Crossin, | Johnson, A. W., | Nelson, | Varallo, |
| Curwood, | Johnson, R., | O'Dell, | Verona, |
| Davis, | Jones, F. R., | O'Donnell, J. A., | Wall, |
| Dengler, | Jump, | O'Dorisio, | Walsh, |
| Dennison, | Kamyk, | Ogilvie, | Wargo, |
| Devlin, | Kee, | O'Neill, | Weidner, |
| Donahue, | Keiser, | Parlante, | Welsh, |
| Dougherty, | Kernaghan, | Pashley, | Wescott, |
| Down, | Kessler, | Perry, H. H., | Wheeler, |
| Edwards, | Knecht, | Perry, P. E., | Williams, A. D., Jr., |
| Ellberg, | Kooker, | Petrosky, | Williams, E. S., |
| Eshback, | Korna, | Polaski, | Willard, |
| Eshleman, | Kovolenko, | Polen, | Willaredt, |
| Ewing, | Kubitsky, | Prendergast, | Wood, |
| Farabaugh, | Lamb, | Price, | Worley, |
| Fetterolf, | Lee, A. M., | Pursley, | Wynd, |
| Filo, | Lee, K. B., | Reibman, | Yetter, |
| Fineman, | Leonard, | Renwick, | Zimmerman, |
| Floyd, | Light, | Rigby, | Andrews, |
| Flynn, | Lopresti, | Riley, | Speaker |
| Foerster, | Luigard, | | |
| Fox, | Lutty, | | |

NAYS—0

NOT VOTING—40

| | | | |
|-------------------|------------------|---------------------|------------|
| Ashton, | Guthrie, | McKeever, | Rudisill, |
| Auker, | Heavey, | Monroe, | Schwartz, |
| Branca, | Heffner, | Moran, | Silverman, |
| Brenninger, | Helm, | Mullen, | Stevens, |
| Brown, | Jones, T. H. W., | Murphy, A. J., Jr., | Strausser, |
| Cooper, | Kornick, | Murray, P. G., | Stroup, |
| Dennis, | Limper, | Naugle, | Ujobai, |
| Donaldson, | Lippincott, | O'Donnell, J. P., | Varnier, |
| Gibb, | McCormack, | Reidenbach, | Whittaker, |
| Goldstein, J. H., | McDonald, | Royer, | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

NURSES WELCOMED

The SPEAKER. The Chair notes the presence in the

Hall of the House of a group of nurses from Luzerne County. They are the guests of the Luzerne County delegation and I believe they are here for the purpose of taking examinations. I am sure we all wish them well.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 3319, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frank, | Lutty, | Rovansek, |
| Anderson, | Frascella, | McCandless, | Sakulsky, |
| Arlene, | Fulmer, | McCann, | Scarcelli, |
| Balthaser, | Galley, | McInroy, | Schaaf, |
| Barton, | Gallagher, | McLaughlin, | Schuster, |
| Bell, | Garlock, | Machmer, | Seltzer, |
| Blair, | Gelfand, | Magee, | Sherman, |
| Boles, | George, | Mahan, | Shupnik, |
| Bonner, | Goldstein, M. H., | Markley, | Snare, |
| Boris, | Goodrich, | Maxwell, | Snider, |
| Bower, | Gramlich, | Meholchick, | Stank, |
| Bowman, | Hamilton, | Merry, | Steckel, |
| Breth, | Henzel, | Mihm, | Stewart, |
| Buchanan, | Hocker, | Miller, B. Z., | Stimmel, |
| Burns, | Holliday, | Miller, H. G., | Stone, |
| Capano, | Holt, | Mills, | Stoner, |
| Capitolo, | Horst, | Muldowney, | Sullivan, |
| Cianfrani, | Irviss, | Munley, | Taylor, |
| Cioffi, | Isaacs, | Murphy, P. J., | Thompson, |
| Clarke, | Jenkins, | Murray, J. J., | Tompkins, |
| Comer, | Jim, | Murray, H. P., | Trusio, |
| Crossin, | Johnson, A. W., | Musto, | Varallo, |
| Curwood, | Johnson, R., | Needham, | Verona, |
| Davis, | Jones, F. R., | Nelson, | Wall, |
| Dengler, | Jump, | O'Dell, | Walsh, |
| Dennison, | Kamyk, | O'Donnell, J. A., | Wargo, |
| Devlin, | Kee, | O'Dorisio, | Weidner, |
| Donahue, | Keiser, | Ogilvie, | Welsh, |
| Dougherty, | Kernaghan, | O'Neill, | Wescott, |
| Down, | Kessler, | Parlante, | Wheeler, |
| Edwards, | Knecht, | Pashley, | Williams, A. D., Jr., |
| Ellberg, | Kooker, | Perry, H. H., | Williams, E. S., |
| Eshback, | Lamb, | Perry, P. E., | Willard, |
| Eshleman, | Lee, A. M., | Polaski, | Willaredt, |
| Ewing, | Lee, K. B., | Polen, | Wood, |
| Farabaugh, | Leonard, | Prendergast, | Worley, |
| Fetterolf, | Light, | Price, | Wynd, |
| Filo, | Korna, | Pursley, | Yatron, |
| Fineman, | Kovolenko, | Reibman, | Yetter, |
| Floyd, | Kubitsky, | Renwick, | Zimmerman, |
| Flynn, | Lippincott, | Rigby, | Andrews, |
| Foerster, | Lopresti, | Riley, | Speaker |
| Fox, | Luigard, | | |

NAYS—0

NOT VOTING—39

| | | | |
|-------------------|------------------|---------------------|------------|
| Ashton, | Guthrie, | Monroe, | Schwartz, |
| Auker, | Heavey, | Moran, | Silverman, |
| Branca, | Heffner, | Mullen, | Stevens, |
| Brenninger, | Helm, | Murphy, A. J., Jr., | Strausser, |
| Brown, | Jones, T. H. W., | Murray, P. G., | Stroup, |
| Cooper, | Kornick, | Naugle, | Ujobai, |
| Dennis, | Limper, | O'Donnell, J. P., | Varnier, |
| Donaldson, | McCormack, | Reidenbach, | Whittaker, |
| Gibb, | McDonald, | Royer, | Wilt, |
| Goldstein, J. H., | McKeever, | Rudisill, | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2096, entitled:

An Act relating to water well drillers * * * providing for the revocation of suspension of licenses and prescribing unlawful acts and penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 2, page 3, line 5, by inserting after "materials": "(iii) drilling water wells for or by oil or natural gas operators, whether or not such wells are located on oil or natural gas leases."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, the question that the Minority Leader wanted to know was about the Senate sending over the adjournment resolution. The adjournment resolution has arrived, and the resolution sent over by the Senate says that the House adjourning today would reconvene November 30th and the Senate will reconvene November 30th.

The SPEAKER. The Resolution will lie upon the Speaker's table until the Members of the respective caucuses have returned to the Hall of the House.

BILL INTRODUCED AND REFERRED

By Messrs. BRETH and ANDREWS

HOUSE BILL No. 2458.

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), exempting inmates of State institutions from license requirements.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE RECEDES FROM AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has receded from its amendments, non-concurred in by the House of Representatives, to House Bill No. 1592, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance

and expiration dates of operator's licenses in accordance therewith.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1592.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1592.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for an operators license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. SHERMAN. Mr. Speaker, I want to make it clear. Did the Senate recede from its amendments on House Bill 1592? Is that what was announced?

The SPEAKER. The gentleman is correct.

Mr. SHERMAN. Then the House version of the bill passed?

The SPEAKER. The effect of the action taken by both Houses is that the bill has passed without amendment, and is now on its way to the desk of the Governor.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 476

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

November 19, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 476, Printer's No. 1663, entitled "An Act amending the act of June 3, 1937 (P.L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' providing for additional annual charges to be paid by the Commonwealth for the benefit of counties township roads and schools."

This bill is intended to impose upon lands held by the Game Commission an annual charge of one cent per acre

for the benefit of the county in which the lands are located, an annual charge of one-half cent per acre for the benefit of roads in the township where the lands are located and an annual charge of four and one-half cents per acre for the benefit of the schools in the respective school districts in which the lands are located.

This bill would impose what are in effect taxes on lands held by the Game Commission while leaving exempt all other instrumentalities of the Commonwealth which hold real estate. There is no just reason to single out the Game Commission for the imposition of this onerous burden.

For this reason, the bill is not approved.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. RENWICK. Mr. Speaker, I move that the veto message from the Governor together with the bill be laid on the table.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2458, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), exempting inmates of State institutions from license requirements.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2458, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448), exempting inmates of State institutions from license requirements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Mr. McCANN. Mr. Speaker, I am going to ask at this time for a recess so that the respective caucuses may act on bills on final passage, third reading, bills on concurrence in Senate amendments, conference committee reports and a resolution. I am asking for a recess of one hour for the purpose of a caucus, and ask all the Members to bring their House calendars with them. The sooner we get down to the caucus room and get the work done, the sooner we can get out of here, after we act on the resolution for the coming week.

Mr. A. W. JOHNSON. Mr. Speaker, in connection with the announcement relating to the Republican caucus, I should like to say we will go to the caucus room immediately. We can do our work in about half an hour, which will give the Members an opportunity for lunch.

Mr. McCANN. Mr. Speaker, I ask that the Members come to the New House Caucus room immediately with their calendars.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess for one hour.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2319

Mr. FILO. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2319.

The SPEAKER. The report will lie over for printing under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. RIGBY asked and obtained unanimous consent to address the House.

Mr. Speaker, I have here a copy of an editorial that appeared in the Pittsburgh Press, Friday, November 13th. This is an editorial by, I believe, the most outstanding editorialist of this state, Robert Taylor. The heading of is "The Court and the People." I am not going to take any time in extolling the editorial or the writer, but in it he makes very clear the very serious thing that is happening with our courts. The courts originally were formed for the people, where they belong, and they are fast, much too fast, becoming courts of the judges.

I would like permission to enter this into the legislative record.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the Journal, and the article will be incorporated in the records of the House, without objection. The Chair hears none.

Mr. RIGBY submitted the following article from the Pittsburgh Press dated Friday, November 13, 1959.

Courts and People

THE actions—and non-actions—of the State Legislature raise a question of whether the lawmakers in Harrisburg believe the courts of Pennsylvania belong to the people or to the judges who now preside over them.

Item 1 is the proposal to establish an administrative office of the State courts and a Judicial Council to help cope with the overload of cases in some courts and to strengthen the administration of justice.

This plan was proposed by Governor Lawrence and Attorney General Alpern. The system already is in effect in the Federal courts and in 21 states. It is supported by the Chief Justice of Pennsylvania, Charles Alvin Jones.

But most judges in Allegheny County and Philadelphia are either lukewarm or actively opposed to the plan. Curiously, these two jurisdictions are the places that gave rise to the proposal, for it is in these two counties that the big backlog of untried civil cases now impedes justice.

The court administration bill now is in a House committee.

Item 2 is the Ellenbogen plan, which would consolidate the Common Pleas and County courts of Allegheny County in such a way that the combined court could make full use of an expanded judicial manpower, and the transition would be made without interrupting the term of any judge presently in office. The plan also calls for establishment of various divisions to handle the work of the court.

This plan, which also would aid in coping with the backlog of untried cases, also rests quietly in a House Committee.

Item 3 is the proposal to add four new judges to the Allegheny County Common Pleas court. This is the remedy backed by President Judge William H. McNaugher and other members of the present court, who object to Items 1 and 2 above,

for coping with the backlog of untried cases. It also is in a House Committee, with bipartisan backing.

Item 4 cropped up the other day, it is a bill, also with bi-partisan backing, introduced in the Senate, to increase the salaries of Allegheny County's six County Court judges and the Juvenile Court judge. They now get \$18,000 a year (\$18,500) for the president judge) and would get a raise to \$22,000 and \$22,500 yearly, putting them virtually on the same salary schedule as Common Pleas judges, although the County Court is a tribunal of limited powers.

This bill also is in committee. Why it should have been proposed at this time, with so many unresolved questions concerning the organization and strengthening of our courts, is a puzzle with no very clear answer.

The immediate problem in our courts is the backlog of untried civil cases, about two years long, in the two large cities of the state. Translated from dry legal statistics into terms of human beings, the existence of these backlogs means that we are denying justice to the litigants, many of them men, women and children who have suffered damage and are powerless to get redress until their cases come up.

The correction of this condition should be the first order of business when it comes to legislation affecting the courts. The bills to improve the court system should get priority. Those adding more judges without any improvement in court procedures, and those raising salaries should be side-tracked until we find means of improving judicial administration.

PERMISSION TO ADDRESS HOUSE

Mr. FRANK asked an obtained unanimous consent to address the House.

Mr. Speaker, in 1955 a certain House Member used to make this statement on the floor. We have heard it many times. The statement was, "Who is kidding who?"

It is about time we, the House Members, stand on both feet and not allow the other House to dictate to us.

A few weeks ago a newspaperman stated in his column that the other House was more intelligent than we are. I am starting to believe that. The other House seems to rule us on the sine die issue. It is about time we, the Members, present a resolution for final adjournment. It costs the taxpayers approximately \$7,000 a day to keep us in Session. It is about time the public should know that we, the House, are in favor of an adjournment, but the other House is playing checkers. Why do we allow the other House to lead us by the nose? Let's close shop and go home. The public is fed up with shenanigans. I wish to end by stating, "Who is kidding who?"

It is stated that many House Members would like to go hunting in November. If we do not get out of here soon, we will have trouble hunting voters the following year.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2324

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2324.

An Act making an appropriation to the Department of

Public Welfare for the maintenance of certain hospitals.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 2324.

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 19, 1959.

Resolved (the Senate concurring), That House Bill No. 1822, Printer's No. 1806, entitled "An act amending the act of March 19, 1951 (P. L. 28), entitled 'An act relating to the civil defense of this State and its coordination with national defense; providing for the establishment of a State Council of Civil Defense, local and district councils of civil defense, Mobile Support Unites; prescribing the powers, duties and immunities thereof, and of their personnel; authorizing mutual aid compacts, and providing penalties,' making the Secretary of Health a member of the Council, and further defining the powers and duties of the Council with reference to peacetime radiation, dangers and disasters," be recalled from the Senate for the purpose of further consideration.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. RENWICK. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCANN vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Elk, Mr. Renwick vote on the final passage of this bill?

Mr. RENWICK. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 2 (Sec. 4), page 3, line 15, by inserting after "MATERIALS": Provided, That any such action taken, and any regulations adopted by the council, shall be inapplicable to any objects or materials possessing a radiation-producing capacity less than that set forth as the

maximum safety limit by the standards endorsed, and as may be subsequently endorsed, by the United States Atomic Energy Commission for the protection of life and property and the maintenance of health and safety.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 959

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 959.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 959, entitled:

"An act relating to fish and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth"

Respectively submit the following bill as our report:

J. IRVING WHALLEY,
ARTHUR E. KROMER,
JO HAYS,
(Committee on the part of the Senate.)

HARRIS G. BRETH,
WILLIAM B. CURWOOD,
CLARENCE G. STONER,
(Committee on the part of the House of Representatives.)

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth

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| | |
|---|---------|
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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Chapter I

Preliminary Provisions

Section 1 Purpose of Act The laws relating to fish are hereby amended revised consolidated and changed as hereinafter provided

Section 2 Short Title This act shall be known and may be cited as "The Fish Law of 1959"

Section 3 Definitions As used in this act

(1) "Person" shall include individuals copartnerships associations and corporations the singular shall include the plural and the masculine the feminine and neuter

(2) "Commission" shall mean the Pennsylvania Fish Commission

(3) "Executive Director" shall mean the Executive Director of the Pennsylvania Fish Commission

(4) "Unnaturalized Foreign-Born Resident" shall mean any unnaturalized foreign-born person who shall reside or live within the boundaries of the Commonwealth for ten consecutive days Such person shall be considered a resident and shall be liable to the penalties imposed for violation of the provisions of this act

Section 4 Effect Of Act On Existing Laws The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 5 Constitutionality The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provision not been included therein

Chapter II Fishing Regulations Applying To Inland Waters

Article I Definitions Scope of Chapter

Section 10 Game Fish Defined The term "game fish" as used in this chapter means the following fish Brook trout salvelinus fontinalis all other species of trout including brown trout Salmo trutta and rainbow trout Salmo gairdneri and the salmon family Salmoides wall- eye Stizostedion vitreum otherwise known as Susquehanna salmon or pike perch pickerel Esox niger northern pike Esox lucius muskellunge Esox masquinongy fallfish Semotilus corporalis small mouth bass Micropterus dolomieu large mouth bass Micropterus salmoides otherwise known as Oskego green or yellow bass crappies Pomoxis sp otherwise known as strawberry or calico bass white bass Lepibema chrysops rock bass Ambloplites rupestris otherwise known as red-eye or goggle-eye yellow perch Perca avescens striped bass or rockfish Roccus saxatilis all suckers Catostomidae eels Anguilla bostoniensis chubs Semotilus and nocomis measuring six inches and over in length and all other species or varieties of fresh-water fish except bait fish

Section 11 Bait Fish Defined The term "bait fish" as used in this chapter means the following fish All forms of minnows suckers and eels measuring less than eight inches in length and all forms of darters killifishes chubs measuring less than six inches in length and stone catfish

It shall be unlawful to use any species of goldfish or carp for bait under penalty of ten dollars for each offense

Section 12 Fish Bait Defined The term "fish bait" as used in this chapter means crayfish or crabs mussels and the nymphs larvae and pupae of all insects spending any part of their life cycle in the water

Section 13 Fee-Fishing Lake Defined The term "fee-fishing lake" as used in this chapter means any artificial or man made pond or lake owned leased or controlled in any manner by any individual partnership association or corporation where fishing is permitted for payment of a fee and in which all fish stocked are artificially propagated by commercial hatcheries or purchased from persons licensed to sell fish

Section 14 Scope of Chapter Provisions The provisions of this chapter and its several articles and sections shall be construed as applying only to waters wholly within the boundaries of the Commonwealth

Article II Closed Seasons

Section 20 Closed Seasons There shall be no fishing between the fourteenth day of March and five o'clock antemeridian on the twelfth day of April or the first Saturday following in any year except in rivers ponds lakes not stocked with trout and in streams emptying into Lake Erie within the confines of Pennsylvania from the mouth of the stream in a southerly direction to State Highway Route No 5 a distance of approximately one-half mile For the purpose of this paragraph a person shall be deemed to be fishing if he shall have in his possession any fishing line rod or other device which can be used for fishing while on or in any water or on the banks of any water where fishing is prohibited Ponds and lakes in which fishing is prohibited shall be posted by the Commission Any person violating the provisions of this paragraph shall upon conviction be sentenced to pay for the first offense a fine of five dollars (\$5.00) and costs and for a second or subsequent offense a fine of twenty dollars (\$20.00) and costs

The following closed seasons are hereby established for the fish as hereinafter enumerated

(a) Any species of trout except lake or salmon trout beginning on the first day of August to five o'clock antemeridian on the twelfth day of April when it falls on a Saturday and the first Saturday following the twelfth day of April in other years

(b) Lake trout or salmon trout from the thirtieth day of September to the thirtieth day of June next following both dates inclusive

(c) Small mouth and large mouth bass white bass crappie strawberry or calico bass walleye otherwise known as Susquehanna salmon or pike perch pickerel muskellunge northern pike from the first day of December to the thirtieth day of June next following both dates inclusive Provided however That game fish in season may be caught and taken not exceeding the daily creel limits fixed by this act at any time when tipups or other legal devices are employed while fishing through holes in the ice

(d) The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail

Section 21 Penalty For Having Fish During Closed Season No person shall have in his possession except as in this article otherwise provided any of the fish enumerated in section 20 of this act during the closed season respectively provided for Any person violating the provisions of this section shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of ten dollars (\$10.00) for each fish so taken caught or had in possession

In addition to such penalty the license of such person may be revoked for one year for the first offense and

two or more years for the second offense at the discretion of the Commission

Section 22 Exceptions To Penalty Clause The provisions of section 21 of this act do not apply to a person who having caught any fish during the closed season respectively provided therefor immediately returns such fish in the condition in which it was captured to the water from which it was taken nor shall such provisions to fish artificially propagated under the authority of this act

Article III Legal Sizes of Fish

Section 30 Legal Sizes No person shall have in possession except as in this article otherwise provided

(a) Any species of trout less than six inches in length

(b) Small mouth bass or large mouth bass less than nine inches in length

(c) Walleye less than twelve inches in length

(d) Pickerel less than fifteen inches in length

(e) Muskellunge and northern pike less than twenty-two inches in length

(f) The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail

Section 31 Penalty Any person violating the provisions of section 30 of this act shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of ten dollars (\$10.00) for each fish so taken or had in possession

In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the Commission

Section 32 Exceptions To Penalty The provisions of sections 30 and 31 of this act do not apply to a person who having caught any fish less than the size respectively permitted immediately returns such fish in the condition in which it was caught to the water from which it was taken nor shall such provisions apply to fish artificially propagated under the authority of this act

Article IV Creel Limits

Section 40 Number of Fish and Fish Bait Which May Be Caught No person except as in this article otherwise provided shall in any one day catch kill or have in possession more than the number of fish or fish bait hereby designated for the respective species

(a) Trout of the combined species ten

(b) Lake or salmon trout eight

(c) White bass rock bass crappie strawberry or calico bass fifteen

(d) Small or large mouth bass six

(e) Walleye six

(f) Pickerel eight

(g) Muskellunge and northern pike two

(h) Yellow perch fifteen

(i) Sunfish fifteen

(j) Catfish fifteen

(k) Suckers fifteen

(l) Fallfish fifteen

(m) Rock fish or striped bass five

(o) All other species of fish not specifically mentioned in this section except eels fifty

(p) Fish bait thirty-five or bait fish thirty-five or fifty combined

The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail

Section 41 Penalty Any person violating the provision of section 40 of this act shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of ten dollars (\$10.00) for each fish or fish bait taken caught or had in possession over the number respectively allowed by this act

In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the Commission

Section 42 Exceptions to Penalty In computing the

number of fish taken caught or had in possession the number of fish returned in the condition in which they were caught to the waters from which they were taken shall be omitted and the provisions of this article do not apply to fish or fish bait artificially propagated under the authority of this act

Article V Fishing Devices

Section 50 Devices to Catch Game Fish Bait Fish and Fish Bait No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following

(a) Game fish not more than two rods and two lines and one hand line with not more than three hooks attached to any line The rods hooks and lines must be under the immediate control of the person using the same

(b) Bait fish and fish bait two rods and two lines with not more than three hooks attached to each line a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than two openings which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Any species when fishing only through holes in the ice not more than five tip-ups or other legal devices

(d) Except as hereinafter provided in the case of rough fish or trash fish and suckers it shall be unlawful to take or attempt to take fish of any kind by the methods known as snatch-fishing foul hooking or snag-fishing or the taking of or fishing for fish with hook or hooks baited or otherwise attached to rod or line or other device for the taking of or fishing for fish with any device whatsoever which may be used to capture any fish by engaging such device in to or with any part of the body of a fish Nothing in this section shall prohibit the use of long bows and arrows or spears for taking or killing carp and suckers Rough fish or trash fish when so designated by the Commission may be taken with such devices and under such regulations as the Commission determines

(e) In addition to such rods and lines eel chutes may be operated from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in addition to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings or netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall not be more than ten feet

No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet

All eel chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured

During the hours of each day and on Sunday when the operation and use of eel chutes are not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

(f) The Commission is hereby authorized to adopt appropriate rules and regulations governing the taking of fish by trolling from a moving boat electrically propelled or propelled by an internal combustion motor Such rules and regulations shall specify the waters within the Commonwealth in which such trolling may be engaged in

It shall be unlawful to engage in such trolling in violation of the rules and regulations duly adopted by the Commission

Section 51 Penalty Any person violating the provisions of section 50 of this article shall on conviction as provided in chapter 14 be sentenced to pay a fine of twenty dollars (\$20.00) and shall forfeit to the Commission all devices unlawfully used

In addition to such penalty the license of such person may be revoked for one year for the first offense and

two or more years for the second offense at the discretion of the Commission

Section 52 Exceptions to Penalty The provisions of this article do not prohibit the use of a gaff or landing-net to assist in landing fish already caught by a lawful device nor do they apply to fish artificially propagated under the authority of this act or to fish caught by a seine or net for which a license is obtained under the provisions of this act or to fish caught by a device for which a lawful permit is obtained from the Executive Director or Commission under the provisions of this act

Section 53 Net Permits The Commission may issue permits to make sell or possess nets larger than four feet square or four feet in diameter Such permits when issued shall specify when and where such nets shall be used by the owner or the persons in possession thereof

Section 54 Nets Unlawful Without Permit It shall be unlawful for any person to make sell or have in his possession a net larger than four feet square or four feet in diameter without a permit therefor issued by the Commission The possession of a net without a permit therefor shall be prima facie evidence of the violation of this section

Section 55 Penalty Any person violating any of the provisions of section 54 of this article shall upon conviction as provided in chapter 14 be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) or to undergo imprisonment for a term of thirty days for each violation or both

Article VI Farm Fish Ponds

Section 56 Fishing Authorized Without License The Pennsylvania resident owner or lessee of a farm his family and persons residing or regularly employed upon the farm on which is constructed an artificial pond holding water the source of which is wholly within the limits of such farm or from waters in which there are no game fish may without license at any time fish in such pond and take therefrom fish of any kind and size and in any number without regard to closed seasons or creel limits or other restrictions or limitations

Section 57 Transporting Fish From Premises When any trout or bass lawfully taken from a farm pond are to be transported from the premises during the closed season for such fish the owner or lessee of the farm shall give to the person transporting the fish a written statement signed by him showing the date place and by whom the fish were taken the number and species of fish the name and address of the person transporting the fish and the date they are being transported Any person may lawfully have in his possession and transport such fish during the closed season for such species when accompanied by the statement herein provided for

Section 58 Penalty Any person having in his possession during the closed season any trout or bass taken from a farm pond and transported from the premises without being accompanied by the statement of the owner or lessee provided for in the preceding section shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of ten dollars (\$10.00) for each fish had in possession

Article VII Fee-Fishing Lakes

Section 59 Licenses The Commission shall upon application therefor accompanied by a license fee of twenty-five dollars (\$25.00) issue a fee-fishing lake license effective from the first day of April to the thirty-first day of March to the owner lessee or person controlling in any manner a fee-fishing lake The licenses may be renewed each year

Section 60 Exemption From Limitations The provisions of section 20 and 21 of this act shall not apply to fee-fishing lakes stocked with fish from commercial hatcheries or licensed fisheries nor to persons fishing in or fish caught in such lakes

Section 61 Permits And Bills Of Sale The owner or person in charge of any fee-fishing lake shall during closed seasons for any species of fish or when fish in numbers exceeding the legal creel limit may be taken issue consecutively numbered permits or bills of sale to all fishermen catching or taking that species or those numbers of fish from the fee-fishing lake The permit or

bill of sale shall be valid only on the date of issue. The permits or bills of sale shall be made in duplicate and one copy shall be kept on file by the issuer for inspection by the Commission or any persons designated by it. Each fisherman while in possession of such fish shall have in his possession the permit or bill of sale relative thereto and shall produce it upon demand by proper authority.

All permits or bills of sale shall contain the following information:

- (a) Name, location and license number of the fee-fishing lake.
- (2) Fishing license number of the fisherman.
- (3) Number of fish of the species for which the season is closed or creel limit exceeded.
- (4) Date of issue.

Section 62 Files. Any person owning or operating a fee-fishing lake shall keep on file for inspection by the Commission or any person designated by it all bills of sale received by the owner or operator for purchases of fish made for the purpose of stocking the fee-fishing lake.

Section 63 Fishermen to Possess Licenses. Any fisherman patronizing a fee-fishing lake shall have in possession a valid fishing license issued pursuant to section 220 or 221 of this act.

Section 64 Penalty. Except as herein otherwise provided, any owner or operator of a fee-fishing lake who operates the lake without a license as herein provided for or who violates any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of one hundred dollars (\$100.00).

In addition thereto for any second or subsequent violation the owner's or operator's fee-fishing lake license may be revoked for one year at the discretion of the Commission. For the purpose of enabling the imposition of the penalty of revocation of any license authorized by this section, any magistrate, alderman or justice of the peace imposing a penalty in a summary proceeding pursuant to this section shall report the imposition of such penalty to the Commission.

Chapter III Fishing Regulations Applying To Boundary Lakes

Article I Definitions Scope of Chapter

Section 70 Definitions. As used in this act:

(a) "Boundary lake" means such part or parts of lakes of more than five thousand acres lying between this and any other state or foreign country as this Commonwealth has jurisdiction over.

(b) "Bay" means a bay adjacent to or connected with a boundary lake as above defined.

(c) "Peninsular waters" means water on any peninsula which water is adjacent to or connected with a boundary lake as above defined.

(d) "Game fish" means the fish defined in section 11 chapter II.

(e) "Bait fish" means the fish defined in section 11 chapter II.

(f) "Fish bait" means the bait defined in section 12 chapter II.

(g) "Food fish" means all other than game fish and bait fish as above defined.

Section 71 Scope of Chapter. The provisions of this chapter and its several articles and sections shall be construed to apply only to the boundary lakes of the Commonwealth and their bays and peninsular waters.

Article II Fishing Devices Creel Limits Closed Season

General Regulations Regulatory Provision Applicable to Boundary Lakes Bays and Peninsular Waters

Section 80 Fishing Devices. Except as hereinafter in article 3 of this chapter otherwise specifically provided, no person shall fish for or capture game fish or food fish in boundary lakes, bays or peninsular waters in any manner with any device, means or method other than the devices named or described in section 50 chapter II of this act.

The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management stand-

point in which event the Commission's regulation shall prevail.

Any person violating any provision of this act shall on conviction as provided in chapter 14 of this act be subject to a penalty of twenty-five dollars (\$25.00).

In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the Commission.

Section 81 Creel Limits. No person shall in any one day catch kill or have in possession more than the number of fish designated for the respective species in section 40 chapter II of this act.

The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail.

Section 82 Closed Season. No person shall catch take or have in possession any game fish from the first day of December to the fourteenth day of June next ensuing, both dates inclusive. Provided however, That game fish in season may be caught and taken not exceeding the daily creel limits fixed by this act when tip-ups or other legal devices are employed while fishing through holes in the ice.

The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail.

Any person violating the provisions of sections 71 and 72 of this act shall on conviction in the manner provided in chapter 14 of this act be subject to a penalty of five dollars (\$5.00) for each fish caught, killed or had in possession.

In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the Commission.

Section 83 Fish Not To Be Used For Fertilizers. Except by and with the consent of the Executive Director, no person shall catch, sell or make use of any game fish or food fish or minor food fish for the purpose of making composts or other fertilizing mixture.

Any person violating the provisions of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of one hundred dollars (\$100.00) or to undergo an imprisonment in the county jail for three months or both.

Section 84 Regulations Concerning Sturgeon. No person shall capture and kill any sturgeon under four feet in length nor have in possession the carcass or flesh of any sturgeon under the length aforesaid.

Any sturgeon of less than the said length of four feet which may be captured must be immediately returned to the waters from which taken and in such manner as to cause to the fish so returned the least possible injury.

Any person violating any provision of this section shall on conviction as provided in chapter 14 of this act be subject for each sturgeon illegally captured and killed or had in possession to a penalty of twenty-five dollars (\$25.00) or to undergo an imprisonment in the county jail for the period of one month.

Section 85 Rules and Regulations of the Executive Director. The Executive Director with the approval of the Commission may make such rules and regulations applicable to any peninsula on which is located any peninsular waters as hereinbefore defined as he may deem necessary for the protection or management of fish in such peninsular waters or for the protection of any fish hatchery located on such peninsula. Such rules and regulations shall be posted in not less than five conspicuous places on such peninsula. Any person violating any of such rule or regulation shall on conviction as provided in chapter 14 of this act be subject to a penalty of fifty dollars (\$50.00).

Section 86 General Powers Of The Executive Director

And Commission The Executive Director with the approval of the Commission is hereby empowered to authorize the use of minnow nets for angling or scientific purpose in any bay or peninsular water

The Executive Director or any representative of the Commission for the purpose of stocking the waters or for the purpose of taking spawn may catch fish with nets or other devices in such waters at any time of the year

The Commission may remove by means of nets or other devices by contract or otherwise any fish from such waters

Section 90 Boat And Net Licenses Fees Revocation The Commission is hereby authorized to issue a fishing license upon written application therefor signed by the applicant upon payment of the license fee herein prescribed for the respective fishing devices or persons for each

(a) Row or sailboat used in fishing with gill-nets resident citizens twenty dollars (\$20.00) nonresident citizens of the United States forty dollars (\$40.00)

(b) Boat other than a row or sailboat under ten tons gross burden resident citizens forty dollars (\$40.00) nonresident citizens of the United States eighty dollars (\$80.00)

(c) Boat of from ten to twenty tons gross burden resident citizens sixty dollars (\$60.00) nonresident citizens of the United States one hundred twenty dollars (\$120.00)

(d) Boat over twenty tons gross burden resident citizens eighty dollars (\$80.00) nonresident citizens of the United States one hundred sixty dollars (\$160.00)

(e) Pound-net resident citizens twenty-five dollars (\$25.00) nonresident citizens of the United States eighty dollars (\$80.00)

(f) Trap-net or device other than a pound-net resident citizens not less than ten dollars (\$10.00) nor more than twenty dollars (\$20.00) nonresident citizens of the United States not less than twenty dollars (\$20.00) nor more than forty dollars (\$40.00) to be determined and fixed by the Executive Director

(g) Out-line two dollars (\$2.00) each

The Executive Director may revoke any license for violation of any provision of this act or for violation of any conditions on which the license was granted

Any person operating or employing others to operate any boat net or device without being licensed as hereinbefore provided shall on conviction as provided in chapter 14 of this act be subject to a penalty of fifty dollars (\$50.00) All fish caught with such unlicensed devices shall be forfeited to the Commission All unlicensed devices used in violation of the provisions of this act shall be forfeited to the Commission

Section 91 Representatives of The Commission May Accompany Boats to Secure Spawn No License shall be issued except upon the condition that the operator of any boat so licensed shall permit a person designated by the Executive Director or the Commission to accompany such boat at any time when it is engaged in fishing for the purpose of securing for the use of the Commission from the fish so caught so much of their spawn as the Commission may decide Any person refusing to permit a person so designated by the Executive Director to accompany such boat or to secure such spawn as he may deem necessary shall upon conviction as provided in chapter 14 of this act be subject to a penalty of one hundred dollars (\$100.00) or thirty days' imprisonment in default of the payment of such fine and costs

Section 92 Licenses to Nonresidents No license shall be issued to a resident of any state or county whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pennsylvania

Section 93 Meshes of Nets Except as in this section hereinafter provided no gill-nets shall be licensed other than gill-nets having a mesh of at least sufficient size to permit a standardized three and one-sixteenth inch steel rule stamped and authenticated by the Commission to be passed through without bending the rule

Gill-nets used in fishing for trout may be licensed which have meshes of at least five and one-half inches in size stretched mesh fishing measure

No pound-nets shall be licensed other than pound-nets the cribs of which shall have a mesh of not less than two and one-half inches stretched mesh fishing measure

No trap shall be licensed other than trap-nets of which shall have a mesh of not less than two and one-half inches stretched mesh fishing measure

The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail.

Section 94. License Year Exhibition of License, Licenses issued under the authority of this article shall be good for the calendar year in which issued. Such licenses shall be carried by the operator of any boat net or device for which issued and by each person employed on such boat and shall be shown on demand to any fish warden, constable, deputy sheriff, the Executive Director or any authorized representative of the Commission.

Any person refusing to exhibit his license on demand as aforesaid shall on conviction as provided in chapter 14 of this act be subject to a penalty of ten dollars (\$10.00).

Section 95. Nets Not To Be Used In Certain Places. No net except a gill or net fastened to and supported by poles driven in the ground and known as a pound-net shall be set, fastened, drawn or used within sixteen miles from the entrance to any bay nor within one half mile from either side of the mouth of any stream.

No gill-net or pound-net shall be set, fastened, drawn or used within two miles of the entrance of any bay.

No net of any character shall be set, fastened, drawn or used within three-fourths of a mile from shore measured in a direct line and no gill-net shall be set, fastened, drawn or used within one and one-half miles from shore measured in a direct line.

A person violating any provision of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of one hundred dollars (\$100.00) or imprisonment in the county jail for a period of three months.

Section 96. Nets In Use To Bear Owner's Name and Address No trap nets shall be set, fixed or fastened without having thereto attached a buoy of at least eighteen inches in diameter bearing a metallic tag on which shall be marked the owner's name and address and which buoy must be plainly visible and above water at all times.

A person violating any provision of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of twenty-five dollars (\$25.00) and the confiscation of the net. Any net required to be buoyed which is found in the water without buoy as above provided and the owner cannot be located shall be confiscated to the Commission.

Section 97. Unlawful Removal of Fish From Nets. No person except the owners thereof or their representatives shall remove or take from any net or device licensed under and operated according to the provisions of this act.

A person violating any provision of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of ten dollars (\$10.00) for each fish so unlawfully taken provided the total amount of fines shall not exceed one hundred dollars (\$100.00) for fish taken at any one time.

Any fish recovered shall be returned to the owner or owners of the net or device from which they were taken and all boats and appliances used in unlawfully taking the fish shall be forfeited to the Commission.

Section 98. Legal Size And Weight of Fish and Fillets. No person shall catch by means of any net or device for which a license is issued under the provisions of this article any:

(a) Blue pike and sauger pike less than eleven inches in length.

(b) Walleye otherwise known as yellow pike less than thirteen inches in length.

(c) Yellow perch less than nine inches in length.

(d) Ciscos not less than six ounces in weight in the round or

(e) Whitefish less than one and three-fourths pounds in weight in the round.

No person shall purchase sell or expose for sale any blue pike or sauger pike less than eleven inches in length

in the round or blue pike or sauger in waters under the control of the Commonwealth or in waters without this Commonwealth and received in instate commerce or otherwise.

The foregoing parts of this section shall be effective except where the Commission by regulation shall otherwise provide as a result of a determination by it that modification is desirable from a fish management standpoint in which event the Commission's regulation shall prevail.

Any person violating the provisions of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of ten dollars (\$10.00) for each fish or fillet so taken had in possession purchased sold or offered for sale.

The foregoing provisions of this section shall not apply to a person who having caught any fish less than the size or weight permitted returns such fish in the condition in which they were caught to the waters from which they were taken or if inadvertently killed turns them over to the Commission at the Commission's option or request for disposition.

Section 99. Minnow Nets. The Executive Director is hereby empowered to authorize the use of minnow nets for angling or for scientific purposes.

Section 100. Rules And Regulations. The Executive Director with the approval of the Commission may make such rules and regulations applicable to any boundary lake as hereinafter defined as he may deem necessary for the protection or management of fish in such waters.

Any person violating any of the provisions of such rules and regulations shall on conviction in the manner provided by chapter 14 of this act be sentenced to pay a penalty of one hundred dollars (\$100.00) for each offense.

Chapter IV. Fishing Regulations Applying to Boundary Rivers.

Article I. Provisions Applying to the Delaware River Above

Trenton Falls

Section 110. Scope Of Article. The provisions of this article shall affect and apply only to the propagation catching taking management protection and destruction of fish in the waters of the Delaware River above Trenton Falls lying between the Commonwealth of Pennsylvania and the State of New Jersey.

Section 111. Right To Fish To Be Enjoyed. The inhabitants of the Commonwealth of Pennsylvania and of the State of New Jersey shall have and enjoy a common right of fishery throughout in and over the waters of said river between low water mark on each side of said river between said state above Trenton Falls except so far as either state may have heretofore granted valid and subsisting private right of fishery.

Section 112. Game Fish Bait And Food Fish Defined. For the purpose of this act "game fish" means the fish defined as such in section 10, chapter 2.

For the purpose of this act "bait fish" means the fish defined as such in section 11, chapter 2.

All other species or varieties of fish whatsoever shall be designated as food fish.

It shall be unlawful to use any species of goldfish or carp for bait under penalty of ten dollars (\$10.00) for each offense.

Section 113. Fishing Devices For Game Fish. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to catch or fish for any game fish or any sunfish or any white or yellow perch in any part of the Delaware River above Trenton Falls with any device excepting those devices defined in section 50, chapter 2 of this act. Any person violating any provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 114. Fishing Devices For Bait. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to fish for bait fish in the Delaware River above Trenton Falls except with the devices defined in section 50, chapter 2 of this act. Any person who uses any other device, method or means for catching bait fish other than those specified in this section shall on

conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 115. Fishing Devices For Food Fish. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to fish for food fish in the Delaware River above Trenton Falls with any device method or means excepting by the following devices and under regulations and restrictions hereinafter described to wit A seine an eelpot or fyke net each without wings and rods and lines or hand lines otherwise known as dipsey or throw lines each having not more than three hooks the number of rods and lines or hand lines not to exceed three of one or the other devices named. Any person who shall use or employ any method or device for catching food fish other than those named in this section or shall use or employ any device named in this section contrary to the regulations or restrictions hereinafter mentioned shall on conviction as provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 116. Seines For Sturgeon and Food Fish, Closed Season For Food Fish When Taken in Seines. Except where provided in this act or by Commission regulation it shall be unlawful for any person to catch and take or attempt to catch and take strugeon from the Delaware River above Trenton Falls with any device excepting a seine the meshes of which shall not be less than thirteen inches stretched measure while being fished or to catch and take or attempt to catch and take any other food fish from said waters with a seine the meshes of which shall be less than two and one-half inches stretched measure while being fished. It shall also be unlawful for any person to catch and take or to attempt to catch and take any food fish except sturgeon by means of a seine between the tenth day of June in each and every year and the first day of March next ensuing. Provided That suckers may be taken with a seine only from October fifteenth in each and every year to the fifteenth day of March next ensuing. Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00) together with a forfeiture of all nets boats and appliances used.

Section 117. Staked and Fastened Nets Prohibited, Prohibited Places for Nets. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person to catch and take or attempt to catch and take any fish of any kind from the Delaware River above Trenton Falls with a net of any character which is anchored or staked or fastened down in any manner permanently or otherwise or to use any net so anchored or fastened down in any manner. Nor shall any net of any kind or character be used for the purpose of catching and taking fish in said waters within one-half mile above or below the mouth of any river, creek or stream emptying into said Delaware River above Trenton Falls. Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty-dollars (\$20.00) together with the forfeiture of nets, boats and other appliances used.

Section 118. Use of Nets on Sunday Afternoon and Sunday Prohibited. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person to catch and take fish of any kind or description from the Delaware River above Trenton Falls by the means of a net or to use a net of any character in the waters aforesaid between Saturday at two o'clock post meridian and twelve o'clock midnight Sunday night in each week. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00) together with a forfeiture of all nets, boats and appliances used.

Section 119. No Closed Season for Taking Food Fish With Lines, Closed Season For Game Fish. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to catch food fish with devices as described in section 50, chapter 2 of this act at any time of the year in the Delaware River above Trenton Falls but it shall be unlawful to fish for and take game

fish on any days or dates specified as closed by the Commission. Any person violating any of the provisions in this section shall on conviction thereof be subject to a fine of ten dollars (\$10.00) for each fish so taken.

Section 120. Seasons For Use of Eelpots and Fyke Nets. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to use eelpots and fyke nets each without wings in the Delaware River above Trenton Falls from June first to July first in each year both dates inclusive but it shall be lawful to use eelpots and fyke nets each without wings from July first to May thirty-first both dates inclusive in each year for the purpose of catching carp, catfish, eels and suckers only. All other species of fish which may be caught in said nets must be returned unharmed immediately to the waters from which taken. Provided That the entrance of said eelpot and fyke net shall not be more than six inches in diameter and the outside diameter not more than thirty inches. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00) together with a forfeiture, of all nets, boats and other appliances used.

Section 121. Legal Sizes and Creel Limits of Fish Penalties (a) Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person to catch and take or attempt to catch and take from the Delaware River above Trenton Falls in any manner whatsoever any striped bass otherwise known as rockfish weighing more than twenty pounds or measuring less than ten inches in length or any strugeon less than five feet in length or any small mouth bass, large mouth bass otherwise known as Oswego or yellow bass less than nine inches in length or any pike or pickerel or any wall-eye otherwise known as Susequehanna salmon less than twelve inches in length or any crappie otherwise known as calico or strawberry bass white bass rock bass otherwise known as red-eye or goggle-eye or trout less than six inches in length. Any fish of a less length than those described or any striped bass commonly called rockfish weighing more than twenty pounds which may be caught must be returned immediately to the water. Provided That nothing in this section shall be so construed as to prevent the fish authorities of the Commonwealth of Pennsylvania or of the State of New Jersey capturing fish of any size from said waters or at any time of the year or in any manner for propagating or management purposes and for stocking other waters in their respective states through their authorized representatives. Any person who shall violate any of the provisions of this subsection shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of ten dollars (\$10.00) for each fish so caught and had in possession.

(b) Except where otherwise provided in this act or by Commission regulation it shall be unlawful to take, catch, kill or have in possession in any one day more than ten in all of large mouth and small mouth bass twenty rock bass twenty crappie, ten walleye, ten pike, ten pickerel or twenty trout. Any person violating the provisions of this subsection shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00) for each fish so taken, caught, killed or possessed in excess of the number permitted by this subsection.

Section 122. Penalty For Damage To Nets And Seines. It shall be unlawful for any person by boat, anchor, dredge or otherwise in the Delaware River above Trenton Falls to wilfully and without reasonable cause interfere with break damage or destroy any hauling seine or net of any description being lawfully used. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 123. Concurrent Jurisdiction Of States. The Commonwealth of Pennsylvania and the State of New Jersey shall have concurrent jurisdiction over all offenses and violations of this act committed or attempted to be committed by any person or persons fishing in the Delaware River above Trenton Falls within the jurisdiction respectively of the said Commonwealth of Pennsylvania

and of the State of New Jersey. Any fish warden or any person in either state authorized to make arrests for violation of the fish laws shall have power and authority to make arrests in any part of the river or shores thereof and take such person or persons for trial to the state in which the offense was committed and proceed against the offender according to the legal procedure for violation of the fish laws of said state. If the arrest be made within this Commonwealth the procedure shall as prescribed in chapter 14 of this act.

Section 124. Penalty For Threatening And Resisting Officers. Any person or persons who shall by threat, menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws in either state from enforcing or carrying into effect any provisions of this act or who shall resist arrest or the seizure of boats or nets illegally used shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00).

Article II. Provisions Applying To The Delaware River Below Trenton Falls.

Section 130. Scope Of Article. The provisions of this article shall affect and apply only to the propagation catching, taking, management, protection and destruction of fish in the water of the Delaware River below Trenton Falls lying between the Commonwealth of Pennsylvania and the State of New Jersey.

Section 131. Right To Fish To Be Enjoyed. The inhabitants of the Commonwealth of Pennsylvania and the State of New Jersey shall have and enjoy a common right of fishing throughout in and over the waters of said river between low water mark on each side of said river between said states below Trenton Falls except so far as either state may have heretofore granted valid and subsisting private right of fishing.

Section 132. Game Fish Bait, Fish And Food Fish. Defined. For the purpose of this act "game fish" shall be the fish defined as such in section 10, chapter 2 of this act.

For the purpose of this act "bait fish" shall be the fish defined as such in section 11, chapter 2 of this act.

All other species or varieties of fish whatsoever shall be termed food fish.

It shall be unlawful to use any species of goldfish or carp for bait under penalty of ten dollars (\$10.00) for each offense.

Section 133. Fishing Devices For Game Fish. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to catch or fish for any game fish or any sunfish or any white or yellow perch in any part of the Delaware River below Trenton Falls with any device or by any means or methods whatsoever except with rods and lines or hand lines commonly called dipsey or throw lines each having not more than three hooks or with trolling lines with spoon or artificial bait having not more than three burrs each of which shall have not more than three hooks or points the number of rods and lines or the number of trolling lines not to exceed two of one or the other device named. Any person violating any provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 134. Fishing Devices For Bait Fish. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to fish for bait fish in the Delaware River below Trenton Falls except with the following devices, rods and lines and hand lines with not more than three hooks attached a minnow seine not more than one hundred feet in length a dip-net not more than five feet square a minnow trap the opening of which shall not be more than one and one-quarter inches in diameter a scoop net with a single handle and with a diameter of net of not more than two feet. Any person who uses any other device method or means for catching bait fish or of a greater length or diameter of nets than specified in this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 135. Fishing Devices For Food Fish. Except where otherwise provided in this act or by Commission regula-

tion it shall be unlawful to fish for food fish in the Delaware River below Trenton Falls with any device method or means excepting by the following devices and under regulations and restrictions hereinafter described. A seine, a gill-net and eelpot, a fyke net, each without wings a parallel net or net set at the edge of low water and rods and lines or hand lines otherwise known as dipsey or throw lines each having not more than three hooks, a number or rods and lines or hand lines not to exceed three of one or the other device named. Any person who shall use or employ any method or device for catching food fish other than those named in this section or shall use or employ any device named in this section contrary to the regulations or restrictions hereinafter mentioned shall on conviction as is provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 136. Seines And Nets For Taking Strugeon And Food Fish, Season For Herring And Food Fish When Taken With Seines Or Nets. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person to catch and take or attempt to catch and take sturgeon from the Delaware River below Trenton Falls with any device excepting a seine or gill-net the meshes of which shall not be less than thirteen inches stretched, measure while being fished or to catch and take or attempt to catch and take any other food fish from said waters with a seine the meshes of which shall be less than two and one-half inches stretched, measure while being fished or any gill-net, the meshes of which shall be less than five and one-quarter inches stretched, measure while being fished. Provided That gill-nets with a mesh not smaller than three inches may be used from March first to June tenth in each year for the purpose of taking herring only. It shall also be unlawful for any person to catch and take or attempt to catch and take any food fish except sturgeon by means of a seine or gill-net between the tenth day of June in each and every year and the first day of March next ensuing. Provided That suckers may be taken with a seine only from October fifteenth in each and every year to the fifteenth day of March next ensuing. Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00) together with a forfeiture of all nets, boats and appliances used.

Section 137. Anchored Staked And Fastened Nets Prohibited, Prohibited Places for Nets. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person to catch and take or attempt to catch and take fish of any kind from the Delaware River below Trenton Falls with a net of any character which is anchored or staked or fastened down in any manner permanently or otherwise or to use any net so anchored or fastened down in any manner. Nor shall any net of any kind or character be used for the purpose of catching and taking fish in said waters within one-half of a mile above or below the mouth of any river, creek or stream emptying into said Delaware River below Trenton Falls. Any person who shall violate any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00) together with a forfeiture of nets, boats and other appliances used.

Section 138. Use Of Nets On Saturday Afternoon and Sunday Prohibited. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person to catch and take or attempt to catch and take fish of any kind or description from the Delaware River below Trenton Falls by means of net or to use a net of any character in the waters aforesaid between Saturday at two o'clock post meridian and twelve o'clock midnight Sunday night in each week. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00) together with a forfeiture to the Commission of all nets, boats and other appliances used.

Section 139. No Closed Season For Food Fish Taken With Lines Closed Season For Game Fish. Except where otherwise provided in this act or by Commission regula-

tion it shall be lawful to catch food fish with rods and lines and hand lines and trolling lines as described in chapter 4 of this act at any time in the year in the Delaware River below Trenton Falls but it shall be unlawful to fish for and take game fish excepting from the fifteenth day of June to the first day of December inclusive in each year. Provided however. That any form of trout may only be taken between the twelfth day of April when it falls on a Saturday and the first Saturday following the twelfth day of April in other years and the thirty-first day of July both dates inclusive in each year. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of ten dollars (\$10.00) for each fish so taken.

Section 140. Seasons For Use Of Eelpots And Fyke Nets. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to use eelpots and fyke nets each without wings in the Delaware River below Trenton Falls from June first to July thirty-first in each year both dates inclusive but it shall be unlawful to use eelpots and fyke nets each without wings from July first to May thirty-first both dates inclusive in each year for the purpose of catching carp, catfish, eels and suckers only. All other species of fish which may be caught in said nets must be returned unharmed immediately to the waters from which taken. Provided That the entrance of said eelpot and fyke net shall not be more than six inches in diameter and the outside diameter not more than thirty inches. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00) together with a forfeiture of all nets, boats and other appliances used.

Section 141. Seasons For Nets And Seines, Size of Mesh. Except where otherwise provided in this act or by Commission regulation it shall be unlawful to use a parallel net otherwise a net set approximately parallel with the shore in the Delaware River and Bay lying between the States of New Jersey and Pennsylvania below Trenton Falls and at low water mark between the first day of June and the thirty-first day of August in each year and it shall be unlawful to use such parallel net from the first day of September to the thirty-first day of May inclusive next ensuing in each year for the purpose of taking carp only. Provided That the meshes of said net be not less than three and one-half inches stretched, measure when being fished. Provided That seines not smaller than two and one-half inch mesh may be used from September first to May thirty-first of each year for the purpose of taking carp only. And provided further. That no such net shall be set in such manner as to impede navigation. All other fish than carp must be returned unharmed to the water beyond the low water mark. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00) together with a forfeiture of all nets and other appliances used.

Section 142. Legal Sizes and Creel Limits of Fish Penalties. (a) Except where otherwise provided in this act or by Commission regulation (a) it shall be unlawful for any person to catch and take or attempt to catch and take from the Delaware River below Trenton Falls in any manner whatsoever any striped bass otherwise known as rock fish weighing more than twenty pounds or measuring less than ten inches in length or any sturgeon less than five feet in length or any small mouth bass or large mouth bass less than nine inches in length or any pike or pickerel or any walleye less than twelve inches in length or any crappie, white bass, rock bass or trout less than six inches in length. Any fish of a less length than those described or any stripped bass commonly called rock fish weighing more than twenty pounds which may be caught must be returned immediately to the water. Provided That nothing in this section shall be so construed as to prevent the fishing authorities of the Commonwealth of Pennsylvania or of the State of New Jersey from capturing fish of any size from said waters or at any time of the year or in any manner for propagation or management purposes and for stocking other waters in their respective states through

their representatives. Any person who shall violate any of the provisions of this subsection shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of ten dollars (\$10.00) for each fish so caught and had in possession.

(b) Except where otherwise provided in this act or by Commission regulation it shall be unlawful to take catch, kill or have in possession in any one day more than ten in all of large mouth and small mouth bass, twenty rock bass, twenty in all of crappie, ten walleye, ten pike, ten pickerel or twenty trout. Any person violating the provisions of this subsection shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00) for each fish so taken, caught, killed or possessed in excess of the number permitted by this subsection.

Section 143. Penalty For Damage to Nets and Seins. It shall be unlawful for any person by boat anchor, dredge or otherwise in the Delaware River below Trenton Falls to wilfully and without reasonable cause interfere with, break, damage or destroy any drifting gill-net, hauling seine or nets of any description being lawfully used and it shall be unlawful for any person to drift a gill-net over the waters of a shore fishery while the hauling seine is being used. Any person violating any of the provisions of this section shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of twenty dollars (\$20.00).

Section 144. Sale of Fish, Regulated. It shall be unlawful to purchase, sell or offer for sale any fresh, dead game, fish or have in possession any fresh, dead game, fish or food fish except during the lawful period for catching the same and the space of ninety days after such period has expired. Any person violating any of the provisions of this section shall on conviction thereof be subject to a fine of ten dollars (\$10.00) for each fish.

Section 145. Concurrent Jurisdiction of States. The Commonwealth of Pennsylvania and the State of New Jersey shall have concurrent jurisdiction over all offenses and violations of this act committed or attempted to be committed by any person or persons fishing in the Delaware River below Trenton Falls within the jurisdiction respectively of the said Commonwealth of Pennsylvania and the State of New Jersey. Any fish warden or any person in either state authorized to make arrests for violations of the fish laws shall have power and authority to make arrests in any part of the river or shores thereof and take such person or persons for trial to the state in which the offense was committed and proceed against the offender according to the legal procedure for violation of the fish laws of said state. If the arrest be made within this Commonwealth the procedure shall be as prescribed in chapter 14 of this act.

Section 146. Penalty for Threatening and Resisting Officers. Any person or persons who shall by threat, menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws in either state from enforcing or carrying into effect any provisions of this act or who shall resist arrest or the seizure of boats or nets illegally used shall on conviction thereof in the manner provided in chapter 14 of this act be subject to a fine of one hundred dollars (\$100.00).

Article III. Provisions Applying to That Portion of the Delaware River Between Pennsylvania and New York.

Section 150. Scope of Article. The provisions of this article shall affect and apply only to the propagation catching taking management protection and destruction of fish in that portion of the Delaware River lying between the Commonwealth of Pennsylvania and the State of New York.

Section 151. Legal Devices for Taking Fish Closed Season for Shad Except where otherwise provided in this act or by Commission regulation hereafter no person or persons shall cast draw or fasten or otherwise make use of any seines drift-net fyke net or net or nets of any other description or use any other appliance for the catching of fish except rod hook and line in that portion of the Delaware River lying between the Commonwealth of Pennsylvania and the State of New York

Provided That this section shall not extend to shad fishing Provided also That the meshes of nets used for catching shad shall not be less than three inches in width or one and one-half inches from knot to knot Provided further also That it shall not be lawful to fish for shad with nets either shore drift gilling or dipnets or with any appliances whatever from June fifteenth to December thirty-first of any year Any person or persons violating any of the provisions of this section shall on conviction as provided in chapter 14 of this act forfeit or pay a penalty of one hundred dollars (\$100.00) together with the forfeiture to the Commission of all boats nets and all appliances.

Section 152. Certain Nets And Devices Prohibited. Except where otherwise provided in this act or by Commission regulation, hereafter, no person or persons shall cast, set, draw, fasten or otherwise make use of any fyke, net or nets of any kind or device similar to a fyke net for the purpose of catching fish in the Delaware River at any time in any year. Every person so offending shall on conviction in the manner provided in chapter 14 of this act be punished by a fine not exceeding one hundred dollars (\$100.00) together with the forfeiture to the Commission of the net or nets, devices or appliances used.

Section 153. Use Of Nets, Seines And Eelpots Prohibited On Saturday Night And On Sunday. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person or persons to cast, draw, drift, anchor, set, stage or otherwise make use of any gilling net, seines, short-net, drift-net, eelpots or any kind of net for the purpose of catching fish in the Delaware River from sunset on Saturday until twelve o'clock on Sunday night of each week and the person or persons so offending shall on conviction as provided in chapter 14 of this act forfeit and pay a penalty of one hundred dollars (\$100.00) together with the cost of suit for each offense.

Section 154. Use Of Certain Devices Prohibited. Except where otherwise provided in this act or by Commission regulation it shall be unlawful for any person or persons to place, build, erect, fasten or use any fish baskets, gill-nets or any permanently set means for taking fish in the Delaware River, nor shall any person at any time affix any nets, fish baskets, fyke nets, eel racks or any kind of appliances or set means of taking fish to any wing walls in the Delaware River. Nor shall any person or persons erect, build or place, or cause to be erected, built or placed, any wing wall or walls of stone or of any other substance or material in the Delaware River for the purpose of affixing, adjusting, placing or setting thereto or adjacent thereto any of the above mentioned illegal devices, contrivances or appliances for taking fish. Any person violating the provisions of this section shall on conviction in the manner provided in chapter 14 of this act be fined fifty dollars (\$50.00) for the first offense. Any person or persons so offending a second time shall on conviction in the manner provided in chapter 14 of this act be liable to a fine of one hundred dollars (\$100.00) and imprisonment for three months in the county jail.

Section 155. Closed Season For Certain Fish. Except where otherwise provided in this act or by Commission regulation no person shall by any means or device whatsoever, catch or kill in the Delaware River any rock bass, small mouth bass, and large mouth bass between December first and June thirtieth in any year, any walleye between March second and May ninth in any year, any trout between September first in each year and the fourteenth day of April next ensuing, any pickerel between March second and April thirtieth in any year, all dates inclusive nor shall catch or kill any of said species of fish at any other time during the year save with rod hook and line. Any violation of this section shall on conviction as provided in chapter 14 of this act subject the offender to a penalty of ten dollars (\$10.00) for each fish so caught or illegal device so used.

Section 156. Legal Sizes And Creel Limits Of Fish Penalties. (a) Except where otherwise provided in this act or by Commission regulation no person shall catch or kill in the Delaware River and small mouth bass and large mouth bass less than ten inches in length and walleye less than twelve inches in length, any trout less than six inches in length or any pickerel less than twelve inches in length,

but should any such fish be taken of a less size than the above it shall be the duty of anyone taking or capturing the same to return the fish immediately to the water from whence taken. Any violation of this subsection shall on conviction as provided in chapter 14 of this act subject the offender to a penalty of ten dollars (\$10.00) and costs for each fish so caught and not returned to the water.

(b) Except where otherwise provided in this act or by Commission regulation it shall be unlawful to take, catch, kill or have in possession in any one day more than fifteen in all of small mouth bass and large mouth bass, fifteen walleye, twenty-five in all of trout or fifteen pickerel. Any violation of this subsection shall on conviction as provided in chapter 14 of this act subject the offender to a penalty of ten dollars (\$10.00) and costs for each fish so taken, caught, killed or possessed in excess of the number permitted by this subsection.

Section 157. Taking Fish For Bait, Scientific And Stocking Purposes. Nothing in this article shall be so construed as to prevent the catching of bait fish other than game fish by means of hand or cast nets for angling or scientific purposes or the catching of game fish by order of any member of the Commission or authorities of the State of New York in the Delaware River for the purpose of fish management or stocking other waters.

Section 158. Seizure Of Illegal Devices Interference With Officers. Any fish warden, deputy warden, sheriff, deputy sheriff, constable, policeman or any special officer of this Commonwealth is hereby authorized to destroy any fish-basket, eel-weir, fyke net, short-net, drift-net, dip-net, wing wall or wing walls, or any illegal device named in any section of this article and they are hereby authorized to arrest forthwith any person placing, erecting, using or fastening them. Any person or persons interfering with any of the above officers in the discharge of their duties or resisting arrest shall on conviction as provided in chapter 14 of this act pay a fine of one hundred dollars (\$100.00).

Chapter V. Seine Licenses.

Section 160. Seine Licenses Fees. The Commission is authorized to issue a "seine license" upon a written application therefor signed by the applicant and upon the payment to the Commission of a fee of ten dollars (\$10.00).

Section 161. Kinds Of Seines, Size of Mesh. No seine or net shall be licensed for use except a haul seine sometimes called a shore seine, a dip-net or a hold-in net sometimes called a moon rake. The meshes of any of the above enumerated seines or nets shall be not less than two and one-half inches stretched fishing measure or one and one-quarter inches from knot to knot while being fished.

Section 162. Contents Expiration And Production Of License. The license certificate shall be prepared by the Commission and shall show the date of issue the name and place of residence of the licensee and the name and number of the seine or net licensed. The certificate may contain such other matters as the Commission may determine. All seine licenses shall expire on the twenty-first day of June next following the date of issue. Such certificate shall be shown by the licensee to any fish warden, constable or other person authorized to make arrests for violation of any provisions of the laws of this Commonwealth relating to fish.

Section 163. Waters For Use Of Seines Seasons Kinds of Fish. No person shall fish with a seine or net in any inland waters of this Commonwealth except within the limits of the tidal waters of a tidal stream. No person shall fish with a seine or net within the limits of the tidal waters of a tidal stream of this Commonwealth except from the first day of March to the twentieth day of June.

No person shall from the first day of March to the twentieth day of June fish with a seine or net within the limits of the tidal waters of any tidal stream of this Commonwealth for any fish other than shad, herring or alewife and carp. A person who catches in a licensed seine during the license period fish than those enumerated in the preceding sentence shall not be guilty of violating the provisions of said sentence if he immediately returns such fish so taken to the waters from which taken and in the condition in which captured. No person shall from the first day of March to the twentieth day of June fish in

the waters within the limits of the tidal waters of any tidal stream of this Commonwealth with a seine or net other than a licensed net or seine.

Section 164. Owner's Consent For Removal Of Fish Required Exception No person shall remove fish from any licensed seine or net without the consent of the owner thereof except that any person may return to the water any fish not authorized to be taken by such device.

Section 165. Penalty Any person violating any provisions of this article shall on conviction in the manner provided in chapter 14 of this act be sentenced to pay a fine of one hundred dollars (\$100.00) and shall forfeit to the Commission all seines boats or appliances unlawfully used.

Section 166. Exceptions the provisions of this article do not apply to fish artificially propagated under the authority of this act.

Chapter VI Artificial Propagation Licenses

Section 170. Commission May Issue Propagation Licenses The Commission is authorized to issue an artificial propagation license for the propagation of all species of trout and all species of bass upon a written application therefor signed by the applicant and upon the payment to the Commission of the sum of twenty-five (\$25.00) each for the propagation of trout and of bass for the propagation of gold fish the sum of twenty-five (\$25.00) and for each other species of fish the sum of twenty-five (\$25.00) Provided That a person licensed to propagate bait fish upon a written application therefor signed by the applicant and upon the payment to the Commission of the sum of ten dollars (\$10.00) for a dealers license wholesale or retail may also propagate and sell fish bait.

Section 171. Applications For License Expiration Applications shall be made on blanks prepared by the Commission and shall show the size character and purpose of the propagation plant and such other matters as the Commission may require All licenses issued under this article shall expire on the first day of January next following the date of issue.

Section 172. Waters Usable No dams ponds or other devices which will prevent the free migration of fish shall be erected or placed by a person licensed under this article in any stream flowing over his property.

No person shall use the ponds so licensed for any purpose other than for commercial propagation and rearing of fish.

Section 173. Authority Under License The license issued under this article authorizes the licensee to carry on the business of propagation and sale of species of fish authorized by the license or the eggs thereof during the year for which the license is issued The license authorizes the licensee to catch and kill the fish authorized by the license from the licensed ponds in any manner whatsoever except with explosives or poisonous substances The license further authorizes the licensee to sell or dispose of in any manner whatsoever the fish authorized by the license or the eggs thereof at any time of the year and it authorizes public transportation companies to receive and transport the same.

Section 174. Authority Denied Under License The License issued under this article does not authorize the catching of fish out of any stream flowing over the property of the licensee.

Section 175. Sales of Fish And Fish Bait Regulated A person selling fish or fish bait under the license provided by this article shall furnish the purchaser with a certificate or invoice of the sale bearing the date of sale the number of the license under which sold the number of fish and fish bait and number of pounds sold The certificate or invoice must be shown by the holder on demand of any fish warden clerk of the market constable or any person authorized to make arrests for violation of the laws of this Commonwealth relating to fish The certificate or invoice shall authorize the sale or holding in possession of the fish or fish-bait so purchased for a period of six days after its date of issue except in the case of bait fish or fish bait which may be held in possession by dealers and purchasers until disposed of.

Section 176. Reports By Licensee Inspection Of Premises A person holding an artificial propagation license under

this article shall annually on the first day of January file with the Commission a written statement duly sworn to showing the number value and number of pounds of fish or the eggs thereof and fish bait sold or disposed of during the year. The books and property of the persons licensed under this article shall be open to the Commission or its agents for inspection at all reasonable times.

Section 177 Stocking Regulations No person licensed under this article shall in any manner stock or maintain his establishments with any species of fish or eggs thereof taken from any waters within this Commonwealth not owned occupied or controlled by them. This section does not prohibit the exchange of fish eggs or the fry of any species of fish with the Commission.

Section 178 Authority Of Licensee To Kill Fowl And Wild Birds A license issued under this article authorizes the licensee or his agent to kill after five days' notice to their owner if known any domestic bird or fowl trespassing on the waters or lands controlled used or occupied entirely for the artificial propagation of fish. Such license also authorizes the licensee or his agent to kill any wild birds or wild animals destructive to fish life whenever found on such waters or lands.

Section 179 Unlawful Acts No person shall artificially propagate any species of fish or fish bait without first procuring the license provided by this article. No person receiving a license as provided by this article shall operate a propagation plant different from that designated in the license. No person operating a propagation plant for which a license has been issued for the operation of such plant shall catch fish out of any stream flowing over the property of the licensee.

No person shall fish or trespass with intent to fish in or upon any waters or bed or banks of any waters or any banks owned controlled or occupied by persons licensed by this article. No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatever of a propagation plant licensed under this article. No person shall interfere or obstruct pollute or diminish the natural flow of water into or through a propagating plant licensed under this article.

Section 180 Penalty Any person violating any provision of this article shall on conviction in the manner provided by chapter 14 of this act be sentenced to pay a fine of one hundred dollars (\$100.00).

In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the Commission.

Section 181 United States Cultural Station The Commonwealth of Pennsylvania hereby gives its consent and accords to the Government of the United States and the United States Department of the Interior and its duly authorized agents the right to establish fish-cultural stations in this Commonwealth and to conduct fish hatching and fish culture at said hatcheries in any manner and at any time the said Department may consider necessary and proper.

Chapter VII Dams Fishways Bar-Racks Obstructions Etc

Section 185 Devices To Enable Fish To Migrate To Be Erected At Dams Any person now or hereafter erecting or maintaining a dam in the waters of this Commonwealth shall immediately on a written order from the Commission erect therein such chutes slopes fishways gates or other devices as the Commission may deem necessary to enable the fish to ascend and descend the waters at all seasons of the year but in lieu of requiring the erection of such chutes slopes fishways gates or other devices at any dam where the same is not deemed by the commission to be practicable or advisable for the ascending or descending of fish the Commission is empowered to enter into an agreement with the owner lessee or operator of such dam to pay to the Commission annually or at other stated periods a sum of money which shall be not less than two and one-half per centum per annum upon the estimated cost of the erection of such chutes slopes fishways gates or other devices plus the estimated cost or reasonable depreciation and maintenance of the same except in such cases where the sum of such interest depreciation and maintenance so calculated would be equal

to or exceed the sum of six thousand five hundred dollars (\$6500.00) per annum then the annual payment shall in all such cases be six thousand five hundred dollars (\$6500.00) per annum to be expended by the Commission for the purpose of stocking with fish the waters of the stream dammed and for the purpose of propagating rearing and distributing the fish actually placed in said waters and the acquisition of the necessary facilities therefor as well as for carrying out such other fish managing practices at or in said waters as are deemed proper for the improvement of public fishing opportunities therein. Any money received by the Commission pursuant to such an agreement shall be paid into the fish fund and is hereby specifically Appropriated to be expended by the Commission for the purpose above named. Provided that when funds are available for such purpose the Commission shall conduct and encourage such surveys and experimentation as may be necessary and feasible in order to discover and/or develop such chutes slopes fishways gates or other devices as may successfully pass migratory fish over the dams.

Section 186 Devices To Be Maintained Every such chute slope fishway gate or other devices shall be maintained open and in good order and repair by the person owning or maintaining such dam until said dam is removed raised or rebuilt.

Section 187 Closing Of Devices Any chute fishway or other device aforesaid may be closed for repairs at the time of low water but such closing shall only be for a period of thirty days at any one time.

Section 188 Penalty Any person neglecting or refusing to comply with sections 185 and 186 of this article within three months from the date of notice provided in section 185 of this act shall forfeit and pay the sum of one hundred dollars (\$100.00) for every month such person so refuses or neglects. Such sum shall be recovered by civil suit or process in the name of the Commonwealth.

Section 189 Erecting Of Devices By Commission Collection Of Cost If after the lapse of three calendar months from the date of notice provided by section 185 of this act the person owning or maintaining said dam neglects or refuses to erect or place or maintain unchanged open and in good order and repair the appliance as directed by the Commission said Commission is authorized to enter upon such dam and erect such slope chute fishway or gate or make such repairs as may have been directed as aforesaid. The cost thereof shall be charged against the person owning or maintaining such dam by the Commission and may be recovered by civil suit and process in the name of the Commonwealth.

Section 190 When Commonwealth To Pay Cost Of Erection Where by reason of any dam having been constructed prior to any requirements by law for the placing of chutes slopes or fishways thereon or for any other reasons the owner or person maintaining such dam cannot be compelled by law to pay the cost of erecting such chute slope or fishway as directed by the Commission such cost shall be paid by the Commonwealth of Pennsylvania out of such funds as may be appropriated therefor.

Section 191 Drawing Off Or Interference With Dams **Penalty (a) Drawing off dams** No person owning leasing or maintaining a dam holding back waters inhabited by fish shall draw off such waters without first applying for written permission from the Commission nor shall any such person obstruct the flow of water through any such dam without allowing sufficient water at all times to flow in the natural stream on which such dam is located to enable the fish to live. Any person violating the provisions of this subsection shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of one hundred dollars (\$100.00) for each offense.

(b) Interference with dams deflectors and retards et cetera Dams deflectors retards or similar devices placed across or in any waters inhabited by fish with permission of the owner or owners of the land adjacent thereto or through which such water flows shall not be destroyed removed breached or disturbed except by written permission first obtained from the Commission. Any person or persons violating the provisions of this subsection shall on conviction as provided in chapter 14 of this act be

sentenced to pay a fine of ten dollars (\$10.00) for each dam deflector retard or similar destroyed or removed or breached or disturbed

Section 192 Fishing Near Devices Prohibited No person shall fish except with a rod hook and line within one hundred feet of the lower end of any fishway or dam within such other distance as the Executive Director may determine Such distance shall be plainly posted on the fishway or adjacent shore Any person violating the provisions of this section shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of one hundred dollars (\$100.00)

Section 193 Placing Bar-racks Any person owning or maintaining a raceway flume or inlet-pipe leading to a water-wheel turbine pump or canal shall immediately upon receipt of a written order from the Commission place and maintain a bar-rack or not less than one-half inch nor more than an inch and a half space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein Any person refusing or neglecting to comply with such order for a period of one month shall forfeit and pay the sum of one hundred dollars (\$100.00) which shall be recovered by civil suit and process in the name of the Commonwealth

Section 194. Erection of Bar-racks by Commission Collection of Cost If one month after the notice provided in section 193 of this act the person owning or operating such raceway flume or inlet pipe has not placed such bar-rack as may have been directed the Commission is authorized to enter upon such raceway flume or inlet pipe and place a bar-rack of not less than one-half inch nor more than an inch and a half space between the bars The cost thereof shall be charged against such owner or operator and if not promptly paid may be recovered by civil suit and process in the name of the Commonwealth.

Section 195. Penalty for Preventing Migration of Fish No person shall place any device or object in the waters within this Commonwealth in such a manner as to obstruct the migration or passage of fish therein or to obstruct any fishway Any person violating the provisions of this section shall on conviction as provided in chapter 14 be sentenced to pay a fine of one hundred dollars (\$100.00).

Section 196. Removal of Obstructions by Fish Wardens Etc. Any obstruction in the streams of this Commonwealth not permitted by law shall when found be immediately removed by any member of the Commission fish warden sheriff or other peace officer.

Chapter VIII Pollution Trespass on State Hatcheries.

Section 200. Pollution of Waters Prohibited Explosives No person shall put or place in any waters within or on the boundaries of this Commonwealth any electricity explosives or any poisonous substances whatsoever for the purpose of catching injuring or killing fish except that for the purposes of fish management agents of or persons authorized by the Commission under the supervision of the Executive Director may use any method or means of eradication or control of fish No person shall allow any substance of any kind or character deleterious destructive or poisonous to fish to be turned into or allowed to run flow wash or be emptied into any waters within this Commonwealth unless it is shown to the satisfaction of the Commission or to the proper court that every reasonable and practicable means has been used to abate and prevent the pollution of waters in question by the escape of deleterious substances.

Section 201. Permits for Use of Explosives The preceding section of this article does not prohibit the use of explosives for engineering purposes when a written permit has been given therefore by the National proper state or proper municipal government authorities.

Section 202. Penalty Any person violating the preceding provisions of this article shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00).

Section 203. Evidence in Prosecution for Pollution In prosecutions under this article for the pollution of waters by substances known to be injurious to fish or to fish food

it shall be necessary to prove that such substances have actually caused the death of any particular fish.

Section 204 Trespass on State Hatcheries and Premises No person shall fish or trespass with intent to fish either upon any waters or bed or banks of any hatchery water or any hatchery lands controlled or owned or occupied by the Commission No person shall wilfully or maliciously destroy or damage any ponds property or appliances whatsoever of the Commission nor interfere obstruct pollute or diminish the natural flow of water into or through any State hatchery Any person violating the provisions of this section shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of one hundred dollars (\$100.00).

Chapter IX Sale of Fish Markets Hotels Etc. Reports

Section 210. Sale of Certain Fish Prohibited No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall purchase sell or expose for sale (i) any trout except lake trout caught in waters wholly within this Commonwealth (ii) any small mouth bass or large mouth bass caught in waters wholly within this Commonwealth or any small mouth bass or large mouth bass caught in waters without this Commonwealth and received in interstate commerce or otherwise (iii) any striped bass or rockfish under twelve inches in length caught in waters wholly within this Commonwealth or any striped bass or rockfish under twelve inches in length caught in waters wholly within this Commonwealth or any striped bass or rockfish under twelve inches in length caught in waters without this Commonwealth and received in interstate commerce or otherwise or any game fish or bait fish as specified in this act Provided That this section shall not apply to blue pike or saugar or walleye taken legally by properly licensed commercial fishermen No person and no proprietor manager clerk or agent of any market hotel boarding house eating house restaurant or saloon shall contract with or employ any person to catch and keep such fish for him by the day or otherwise.

Section 211. Reports of Sales of Fish A person engaged in catching fish for market or who may be engaged in the sale of fish shall on demand of the Executive Director furnish at the close of each calendar year a duplicate statement of his sales of fish and the gross amount of money realized The contents of such reports shall be used by the Commission entirely for statistical purposes The contents of such report so received by the Commission shall not be made public without the written consent of the owner.

Section 212. Penalty Any person violating the provisions of this article shall on conviction as provided in chapter 14 of this act be sentenced to pay a fine of ten dollars (\$10.00) for each fish had in possession.

Section 213 Unlawful to Sell Bait Fish or Fish Bait It shall be unlawful for any person to sell or offer for sale any bait fish or fish bait taken from any waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted by the Commission Provided That under proper license specified species of bait fish may be netted from Lake Erie waters for purposes of sale Any person violating the provisions of this section shall be subject to a penalty of ten dollars (\$10.00) for each bait fish or fish bait sold or offered for sale upon conviction as provided in chapter 14 of this act.

Section 214. Exceptions to Penalty This article does not prohibit any person from employing a guide to accompany him when fishing nor does it apply to fish or fish bait artificially propagated or bait fish otherwise legally acquired and sold under authority of this act.

Chapter X Fishing Licenses

Section 220. Resident Fishing License Fees (a) For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next

preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of three dollars and twenty-five cents (\$3.25) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of fifteen cents (15c) for the use of the issuing agent be entitled to the license herein referred to as a "resident fishing license."

(b) Any disabled veteran of any war or armed conflict whose disability consists of the loss of one or more limbs or the loss of the use of one or more limbs or a veteran who is totally blind and who meets the above qualifications shall be issued such license upon application to any county treasurer without the payment of the above license fee provided for the use of the Commonwealth. The application for the issuance of a license in such case shall in addition to the other information required contain a statement that the applicant is a war or armed conflict veteran and that his disability was service incurred. The county treasurer may likewise require of such applicant the production of such applicant's discharge papers.

(c) In case the license certificate is lost or destroyed a new license may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50¢).

(d) Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar (\$1.00) for the use of the Commonwealth such person shall be entitled to a special eel chute license which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the City of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River in accordance with the provisions of this act.

Section 221. Nonresident and Alien Nonresident Fishing License Fees Tourist Fishing License Fees for Nonresidents and Alien Nonresidents (a) For the purposes of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is an alien or a nonresident of this Commonwealth shall upon the payment to the issuing agent or the Department of Revenue of the sum of seven dollars and fifty cents (\$7.50) plus a trout stamp license in cases where it is required of five dollars (\$5.00) and in the event the license is issued by an issuing agent the payment of fifteen cents (15¢) for the use of the issuing agent be entitled to the license herein referred to as a "non-resident fishing license."

(b) For the purpose of this article every person twelve years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of the Commonwealth shall upon the payment to the issuing agent or the Department of Revenue a license fee of three dollars and twenty-five cents (\$3.25) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of fifteen cents (15¢) for the use of the issuing agent be entitled to the license herein referred to as a "tourist fishing license" which shall be valid for a period of five consecutive days.

In case the license certificate is lost or destroyed a new license may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50¢).

(c) Any person serving or who has served in the armed forces of the United States during any part of any war or armed conflict in which the United States has been or may become engaged and who is being hospitalized or is in a convalescent camp within the Commonwealth shall be issued such license as provided in subsections (a) and (b) of this section without the payment of the said license fee provided for the use of the Commonwealth.

The application for the issuance of a license in such

case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank and the hospital to which he is attached and a certificate from the person in charge of the hospital or other place in which such person is confined or to which he is attached.

(d) The Department of Revenue is authorized to sell expired trout stamps upon payment of one dollar (\$1.00) per stamp or fifty cents (50¢) per stamp in lots of one hundred or more.

Section 222 Applicants For Licenses License Year All licenses shall be issued on forms prepared and supplied by the Department of Revenue the cost thereof to be paid from the fish license fund hereafter provided for. The license shall show the name age occupation and residence of the licensee and the date of its issue. It shall also contain the signature of the licensee written in ink and shall authorize the person named therein to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto under the restrictions and requirements of existing laws during the year the date of which is inscribed thereon. The license shall become void upon the thirty-first day of December next following the date of issue. The license may contain such other information as the Department of Revenue may require.

Section 223 Issuing Agent's Record Every issuing agent of this Commonwealth shall keep on a printed form supplied by the Department of Revenue a correct and complete record of all resident and non-resident fishing licenses issued by him. Every issuing agent shall cause to be entered on such printed form at the close of each month the name and place of residence of such individual to whom a license shall have been issued that month. Such printed form shall be available at reasonable hours for the inspection of any officer of the Commonwealth whose duty it is by law to protect the fish in the waters of this Commonwealth or in the waters bounding or adjacent thereto or of any representative of the Department of Revenue or of any representative of the Department of the Auditor General.

Section 224. Monthly Returns Of Licenses Issued by Issuing Agents Every issuing agent of this Commonwealth shall each month forward to the Department of Revenue a complete list of the resident and nonresident licenses granted with the names and addresses of the licensees on forms to be furnished by the Department of Revenue.

Section 225. Issuing Agent To Be Of The Commonwealth Monthly Payment To State Treasurer Duplicate Report The issuing agents in the several counties shall be agents of the Commonwealth for Revenue shall determine with the approval of the Governor to issue all of said licenses directly. Provided That the Department of Revenue may recall the appointment of any agent at any time with or without cause and shall recall the appointment of any agent either upon receipt of evidence that such agent has not complied with the requirements of this act or upon receipt of a recommendation from the Executive Director that such agent be recalled because of carelessness or other fault in the issuance of licenses. For services rendered in collecting and paying over the said fees the said issuing agents as long as they continue to act in that capacity shall be allowed to collect and retain the sum of fifteen cents (15¢) for each resident and nonresident fishing license as provided in section 221 of this act which amount shall be full compensation for services rendered by them under the provisions of this act. Such compensation shall be retained by the respective issuing agents said compensation to cover among other things the cost of issuing licenses postage mailing returns and bonding of said agents.

All license fees except said agent's fees paid to an issuing agent under this act shall be by such agent paid into the State Treasury through the Department of Revenue at least once a month to be applied to the purposes herein-after provided. Such issuing agent shall make a return to the Department of Revenue upon a form to be supplied by the Department of Revenue and shall in all such cases forward a duplicate of such report to the Executive Director at Harrisburg. Any issuing agent who shall fail to comply with any of the provisions of this act shall not

be entitled to retain the sum herein fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Commonwealth by suit in the same manner as like amounts are now recoverable by law

Every agent designated to issue fishing licenses shall give bond to the Commonwealth in a sum not less than one thousand dollars (\$1000.00) before the annual supply of licenses is delivered to him

Section 226 Unlawful To Fish Without License No person shall angle or fish in any of the waters within or bounding on or adjacent to this Commonwealth unless the license hereinbefore provided be at such time continually kept about the person of the licensee and exhibited upon the request of any fish warden sheriff constable or other officer of the Commonwealth

The provisions of this section shall not apply to a person holding a fishing license issued pursuant to the laws of the State of New York when fishing by angling in that portion of the waters of the Delaware River lying between New York and Pennsylvania within the jurisdiction of this State if the persons holding angling licenses issued pursuant to the provisions of this act when fishing by angling in the waters of the Delaware River lying between New York and Pennsylvania within the jurisdiction of the State of New York are not required to have New York licenses nor shall the provisions of this section apply to a person holding a fishing license issued pursuant to the laws of the State of Ohio when fishing by angling in the waters of the Pymatuning Lake or reservoir within the jurisdiction of this State if the person holding licenses issued pursuant to the provisions of this act when fishing by angling in the waters of said lake within the jurisdiction of the State of Ohio are not required to have Ohio licenses Provided however That where the persons doing such fishing shall fish from the bank on lands in Pennsylvania then a Pennsylvania license shall be required And provided further That where such fishing is done by persons residing in Pennsylvania whether permanently or only temporarily a Pennsylvania license shall be required

Section 227 Loan And Transfer Of License Prohibited False Information No person shall alter loan or transfer any license authorized by this act nor give any false or misleading information to the issuing agents or to the Department of Revenue its officers or agents in the application therefor

Section 228 Penalty Revocation Of Licenses Period Of Revocation Any person violating any provisions of this article shall on conviction in the manner provided in chapter 14 of this act be sentenced for each offense to pay a fine of twenty-five dollars (\$25.00) It shall be unlawful for any person to obtain or use a fishing license during the period for which his license was revoked and any person violating this provision shall be subject to the penalty provided in this section In addition to any penalty provided for any violation of this act the fishing license of any person convicted or signing an acknowledgment as hereinafter provided shall be void and the license shall be void and the license shall be surrendered by such person and immediately sent by the court making the conviction or the officer taking the acknowledgment to the Commission at Harrisburg In such cases and in cases where a person has been convicted of a violation of this act who does not possess a fishing license the Commission shall notify him of the time during which he shall not be eligible to possess a fishing license and during which period he may not apply for such a license but no such period shall exceed three years

Section 229 Certain Persons Excepted From Licenses No person now required by law to procure a license to propagate fish for sale shall be required in addition to secure a license provided by this act in order to enable such person to exercise those rights conferred by the license

The provisions of this article shall not apply to nor prevent the native born or naturalized owner of any farm or other land situate in this Commonwealth who actually resides thereon throughout the year of the members of his family so residing upon said farm or land from angling or fishing in waters wholly within the limits of said farm or land or within the limits of land abutting thereon

without such license The exemption provided by the foregoing provisions of this section shall not apply to any person temporarily residing upon said farm or land or any tenant thereon who is not a member of the family of said owner nor shall said exemption apply to any servant or employe of said owner

Chapter XI Complimentary Licenses

Section 240 Complimentary Licenses The Commission is hereby authorized to issue annually not more than one hundred complimentary fishing permits to any of the following persons (a) The Chief Executive of the United States (b) the Governor of any state (c) authorized representatives of the conservation departments of other states (d) Federal officials engaged in conservation work (e) authorized officials of national conservation organizations and (f) conservation officials of any foreign country or major subdivision thereof

Chapter XII General Powers of the Commission Executive Director Assistant Executive Directors and Fish Wardens

Section 249 Assistant Executive Directors The Commission may appoint two assistant executive directors the first of whom shall be in charge of and responsible for the activities of the Watercraft Safety Division and the second shall be in charge of and responsible for the Fish Management Division

Section 250 Permission To Fish For Scientific And Stocking Purposes The Executive Director may with the approval of the Commission grant permission to catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices for a period not exceeding one year to a person engaged in scientific research or for the propagation of fish and the stocking of public waters therewith Persons permitted to fish pursuant to the foregoing provision of this section shall make a return in writing to the Executive Director of all fish caught by them and also the use made by them of the fish so caught

Section 251 Power Of Executive Director And His Agent To Fish Rules And Regulations The Executive Director or his agent may catch fish in any of the water of this Commonwealth at any season of the year and with any kind of nets or devices The Executive Director with the approval of the Commission may promulgate such rules and regulations for the angling catching introduction or removal of fish in or from any of the inland waters artificial or otherwise and the boundary lakes and boundary rivers of this Commonwealth as he may deem necessary To aid in the better protection and management of fish in any of the inland waters and boundary lakes and boundary rivers of this Commonwealth the Commission may also reduce or increase open seasons and creel possession size and season limits or may close or open seasons as in its judgment may be necessary to conserve protect or assure the future fish supply in any portion of the inland waters and boundary lakes and boundary rivers of this Commonwealth

To reduce or increase open seasons or creel limits or to open or close seasons for fishing in any portion of the inland waters or boundary lakes or boundary rivers of the Commonwealth the Commission shall prepare and distribute such posters or notices as in its judgment may be necessary to give due notice of its regulations adopted hereunder

Any person violating any of said rules and regulations shall upon conviction as provided in chapter 14 of this act be sentenced to pay a fine of twenty dollars (\$20.00) and in addition thereto may be fined ten dollars (\$10.00) for each fish caught taken or had in possession contrary to such rules and regulations of the Commission

Section 252 Free Distribution Of Fish The Commission shall make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order of preference First to the public waters of the Commonwealth and to the waters within the forestry reserve belonging to the Commonwealth Second to the public school authorities and persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for public aquarium purposes or show

ponds Third to fish associations and individuals to stock any stream lake or pond in which the public are permitted to fish The Commission may distribute and plant fish without an application in any of the waters within the State in which the public are permitted to fish

Section 253 Penalty for False Representation in Procuring Fish Any person who shall by false representation receive fish from the Commission and plant the same in waters where the public are not allowed to fish shall on conviction in the manner provided by chapter 14 of this act be sentenced to pay a fine of twenty-five dollars (\$25.00) for each offense and shall not thereafter be eligible to receive fish from the Commission for a period of from one to five years as may be determined by the Commission

Section 254 Streams and Lakes to be Free for Fishing Exception Any natural stream or lake in this Commonwealth which has been or may be stocked with fish furnished by the Commonwealth or the Commission shall be open to the public for the purpose of lawful fishing but nothing in this section shall be so construed as to free any person trespassing on the lands of any person in this Commonwealth from liability for any damage he may do to said lands or the improvements thereon or to any crops or livestock or poultry thereon

Notwithstanding the provisions of this section whenever any stream is stocked with trout during the open season for trout the Commission may close such stream or any part thereof to fishing for a period of any number of days not exceeding five days after the same has been stocked Whenever any stream or part of a stream is closed to fishing under the provisions of this section the portion thereof that has been closed shall be posted with signs giving notice of such closing together with the date of stocking and the date when such stream or part thereof will again be open to fishing A statement of the stocking of such stream giving the number or pounds of trout planted the fact that the stream or part thereof has been closed and the dates of the stocking and reopening of the stream shall be given to at least one newspaper published in the vicinity of such stream with the request that the same be published as a news item nothing in this act contained shall authorize the Commission to close any stream or part thereof which is owned or held by any individual association or corporation and which has not been stocked with fish furnished by the Commonwealth or the Commission

Any person fishing in any stream or part of a stream during the period the same has been closed to fishing under the provisions of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of twenty-five dollars (\$25.00)

Section 255 Nursery Waters The Commission is authorized to set aside at its discretion such streams lakes dams reservoirs ponds or parts thereof as it may judge best as nursery waters in which fishing shall be prohibited for such periods of time as the Commission may prescribe Before setting aside such waters the Commission through the Executive Director shall give notice of closing such waters by publishing the prohibition and the duration thereof in such manner as the Commission may prescribe Notice of such closing shall also be posted along the banks of such waters Any person fishing catching or killing any fish from any stream or waters so closed shall on conviction in the manner provided by chapter 14 be sentenced to pay a fine of one hundred dollars (\$100.00)

Section 256 Powers Of Fish Wardens A fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish (b) to execute all warrants and search-warrants for the violation of the fish laws (c) to serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to fish (d) to carry firearms or other weapons in the performance of his duties (e) to search without warrant any boat conveyance vehicle fish-box bag coat boot basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated (f) to seize and take possession of any and all fish which may have been caught or killed at any time in any

manner or for any purpose or had in possession or under control or have been shipped or about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the executive director may direct (g) to enter upon any land or water in the performance of his duty (h) to demand and secure proper assistance in case of emergency I to purchase fish for the purpose of securing evidence J to arrest any person found in any of the acts or in pursuit immediately following any of the acts herein set forth committed in or along waters in which the public is allowed to fish or on land adjacent or contiguous to such waters which are not posted with printed notices warning persons from trespassing thereon (i) leaving garbage bottles cans rubbish wire glass paper cardboard or wooden cartons or boxes or any other type of debris or trash (ii) obstructing an owner or his tenant ingress egress or regress to his property or cattle ways (iii) digging in or driving upon fields under cultivation.

Any person convicted of violating clause J of this section shall be sentenced to pay a fine of ten dollars (\$10.00) and costs of prosecution for each such offense and upon a second conviction for any such offense shall have his license revoked for a period of one year.

Section 257 Duties Of Fish Wardens Each fish warden shall keep a record of his official acts receipts and expenditures and shall at the close of each month make a summary of such record with such detailed information as may be necessary for the information of or be required by the Commission Such summary shall be immediately sent to the chief warden The chief shall report to the Executive Director any negligence or incompetency on the part of any of the fish wardens with the facts thereto The chief warden shall report monthly to the Executive Director his operations during the preceding month and shall make such other reports as may be required by the Executive Director The chief warden shall annually report in writing the operations of himself and subordinates during the year to the Commission.

Section 258 Special Fish Wardens The Commission may appoint special fish wardens to act anywhere within the Commonwealth Newly appointed special wardens (excluding reappointments) may have a minimum of two weeks' training by the Commission All special fish wardens appointed under the authority of this section may exercise the powers of their appointments until the thirty-first day of December next succeeding the date of their appointment and no longer Special fish wardens shall have the same powers and shall make the same reports as are conferred on and required from other fish wardens.

Chapter XIII Sunday Fishing

Section 265 Fishing Law Exception It is lawful to fish in any of the waters wholly within or on the boundaries of this Commonwealth for any species of fish during the open season therefor with not more than two rods and two lines and one hand line with not more than three hooks attached to either line and to take bait fish and fish bait with a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter and to catch and take game fish in season when tip-ups are used while fishing through holes in the ice and it is also lawful to catch and take turtles and frogs on the first day of the week commonly called Sunday if the consent of the owner or lessee of the land abutting on a stream or body of water and of the bed thereunder where the fishing is done has first been secured but no such consent shall be required to fish in the manner above provided in a stream or body of water in State-owned or Federal lands nor in a river or body of water the bed of which is publicly owned except where the fishing is done from abutting land privately owned in which case the consent of the owner or lessee shall first have been secured It is unlawful to fish on any Sunday in any other manner than hereinbefore provided or in streams and waters contrary to the provisions of this section Any person violating any of the provisions of this section shall on conviction as provided in chapter 14 of this act be subject to a penalty of twenty-five dollars (\$25.00).

Chapter XIV Enforcement of the Act Procedure

Section 270 Powers Of Officers To Destroy Unlawful Devices And Make Arrests Any fish warden special warden sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and required to proceed with such force of the county as may be necessary to confiscate and turn over to the Commission any device for catching fish used contrary to or prohibited by law in any of the waters within or on the boundary of or adjoining to this Commonwealth. Such officers are hereby required to arrest with or without warrant any person owning placing or using such device or violating any provisions of this act.

Section 271 Apprehension And Production Before Magistrate Such officers are authorized and required to apprehend and arrest and immediately take any person guilty of any violation of this act before the nearest available alderman magistrate or justice of the peace within the city borough incorporated town or township in the county where the alleged violation occurred or if there is no available person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then before the nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township in such county who shall forthwith hear and determine such charge in the manner herein provided.

Section 272 Payment of Costs in Certain Cases In case any fish warden or any other officer hereinbefore named fails to prove his case and the defendant is discharged or in case the defendant is convicted and sent to jail in lieu of the payment of fine the Commission shall pay the costs.

Section 273 Arrests On Sunday And Holidays Such arrests may be made on Sunday or any legal holiday in which case the person so arrested shall be taken before the proper officer and proceeded against on the first lawful day following the arrest or he may acknowledge guilt and pay the penalty in full as provided in section 280 of this act.

Section 274 Penalty Upon Officers For Failure To Perform Duties Any sheriff deputy sheriff constable special officer or other peace officer of this Commonwealth refusing or neglecting to proceed with such force of the county to forthwith remove and destroy any existing device illegally used for the catching of fish within its jurisdiction after being notified in writing of the existence of such illegally used device or any such officer neglecting or refusing to remove or destroy any such illegal device for catching fish within the Commonwealth of which he shall be cognizant shall on conviction as provided in this chapter be sentenced to pay a fine of fifty dollars (\$50.00).

Section 275 Interference With Officers Any person who shall by threat menace or force or in any manner attempt to deter or prevent any fish warden or other person authorized to make arrests for violation of the fish laws from enforcing or carrying into effect any provision of this act or who shall resist the seizure of boats devices or nets illegally used shall on conviction thereof as provided in this chapter be sentenced to pay a fine of one hundred dollars (\$100.00).

Section 276 Prima Facie Evidence In all cases of arrest for the violation of any of the provisions of this act the possession of the fish or of the nets or appliances or the possession of or operation of any other device herein prohibited shall be prima facie evidence of the violation of this act.

Section 277 Complaint Warrant Hearing Complaints or Informations made under the provisions of this act shall be brought before the nearest available magistrate alderman or justice of the peace within the city borough incorporated town or township in the county where the alleged violation occurred or if there is no available person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then such complaint or information shall be brought before the nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township in such county.

Any alderman magistrate or justice of the peace upon

information or complaint made to him by affidavit of one or more persons charging any person with having violated any of the provisions of this act or any of the rules and regulations adopted and promulgated by the Executive Director or the Commission pursuant to this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and shall cause such person to be arrested and brought before such alderman magistrate or justice of the peace who shall hear and determine the guilt or innocence of the person or persons so charged.

Section 278 Sentence Bail Appeal If convicted such person shall be sentenced to pay the fine provided in this act for such violation together with the costs of prosecution. The person so convicted shall on failure to pay such fine be sentenced by such alderman magistrate or justice of the peace to undergo imprisonment in the county jail of the county in which such conviction takes place for a period of one day for each dollar of fine so imposed unless specifically otherwise provided by this act or unless the person so convicted shall give notice of an intention to procure a writ of certiorari or appeal in which case such person shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal or certiorari is not taken by them or on the final determination of the same if it be not sustained for execution of sentence.

Section 279 Certain Costs To Be Paid By Commission (a) Whenever any fish warden or other peace officer makes a complaint before any alderman magistrate or justice of the peace and secures a search warrant to search for fish caught taken killed or possessed contrary to the provisions of this act or for any device used for catching fish contrary to the provisions of this act and no such fish or device is found during such search all costs in such proceeding shall be paid by the Commission.

(b) Whenever a defendant shall be imprisoned one day for each dollar of fine imposed under the provisions of this act the Commission shall pay one dollar (\$1.00) per day for each day of such imprisonment to the county operating the jail in which such defendant is imprisoned for cost of his maintenance.

Section 280 Acknowledgment Of Guilt Receipts A person charged with violating any provisions of this act other than a misdemeanor may sign an acknowledgment of the offense committed either before or after the beginning of prosecution and pay to any salaried officer of the Commission the penalty in full as fixed by this act together with costs accrued to that date. The printed receipt therefor which shall in every instance bear the signature of the Executive Director shall be full evidence of full satisfaction of the offense committed.

Section 281 Sale Destruction Or Use Of Confiscated Devices All boats or devices used unlawfully and forfeited to the Commission under any of the provisions of this act shall be sold by the Executive Director or destroyed by his order if not useful for Commission purposes. Records shall be made of all such sales or destruction on the books of the Commission.

Section 282 Limitation For Prosecutions All actions for violation of any provisions of this act shall be taken within one year from the time the offense is committed.

Section 283 Fines To Be Forwarded To The Executive Director All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn within five days shall forward or deliver such fines and penalties to the Executive Director. Where any officer of the Commonwealth other than a salaried officer is the prosecutor the fines and penalties shall as soon as the case is fully determined by any magistrate alderman or justice of the peace be forwarded by such magistrate alderman or justice to the Executive Director at Harrisburg together with a statement of the cause for which such fines were collected the cost of which statement is hereby fixed at fifty cents (50c) and made a part of the costs of prosecution. All fines received by the Executive Director shall be paid into the State Treasury monthly by and through the Department of Revenue for the use of the fish fund.

Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate alderman or justice of the peace imposing or receiving the same to the Executive Director upon forms furnished by the Department of Revenue such reports shall be made monthly not later than the tenth day of the following month.

Any magistrate alderman or justice of the peace who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a court of quarter sessions shall be sentenced to pay a fine of one hundred dollars (\$100.00) and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment.

Section 284 Return Of Fees Fines Or Other Moneys Erroneously Or Unjustly Paid Into Treasury Whenever the Commission is satisfied that any fee fine or any other money paid into the State Treasury under any of the provisions of this act was erroneously or unjustly collected and deposited the Commission within six years after such deposit may by resolution direct the Executive Director to draw a requisition upon the fish fund for the amount involved Upon the receipt of such requisition and an extract of the minutes of the Commission the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fee fine or other money was erroneously or unjustly collected.

Chapter XV The Fish Fund

Section 290 Fish License Fund Established All fees fines penalties and other moneys paid received and collected (i) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any act of a fund separate and apart from the various purposes designated by law or (ii) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (iii) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as "the fish fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and nonresident fishing licenses and under the direction of the Commission for the following purposes.

(a) The payment of the salaries wages or other compensation of the Executive Director such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employees as may be required for the work of the Commission and such special deputy attorneys general assistant deputy attorneys general as may be assigned by the Attorney General to the Commission or for handling any legal business pertaining to its work.

(b) The payment of the traveling and other expenses of the members officers and employees of the Commission.

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishing stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the Commission and the payment of premiums on surety bonds for such officers or employees of the Commission as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the Commission.

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines.

(e) Rentals for any offices outside of the Capitol buildings or any other grounds buildings or quarters necessary for the work of the Commission.

(f) The propagation protection management and distribution of fish and the stocking of waters within this Commonwealth as provided by law.

(g) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the Commission.

(h) Field work gathering spawn and transferring fish.

(i) The maintenance and operation of such boats as may be required for the Commission's business.

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the Commission.

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the Commission.

(l) The purchase and acquisition of additional land and water for State fish hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth.

(m) For the refund of fees fines or other moneys heretofore or hereafter erroneously or unjustly paid into the fish fund and.

(n) The sum of one dollar (\$1.00) from each resident and nonresident fishing license fee shall be used exclusively for (i) the acquisition leasing development management and maintenance of public fishing waters and of areas for providing access to fishing waters and the carrying out of lake and stream reclamation and improvement (ii) the rebuilding of torn out dams and (iii) the study of problems related to better fishing but in no event shall any of the funds be used for propagation of trout. All moneys received under the provisions of this clause and all expenditures made from such moneys shall be shown in detail by the Commission in every annual report or annual statement rendered by it.

(o) The Commission is specifically authorized to enter into cooperative agreements with agencies of the United States Government interstate compact agencies other agencies of the Commonwealth and subdivisions of the Commonwealth including authorities and soil conservation agencies singly or in concert for impounding managing using maintaining and operating waters for public fishing and is authorized to expend moneys from the fish fund for the Commission's agreed upon pro rata share of the cost of the acquisition construction operation and maintenance of the same. The Commission is further authorized to enter into similar agreements and undertake similar expenditures in conjunction with private or commercial interests for the same purposes.

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the Commission and may be expended for the purposes hereinbefore enumerated. All printing and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency.

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Commission respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Commission in excess of the estimates approved by the Governor. Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Executive Director draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes for which such requisition was made at the time of making such requisition.

Section 291 Acceptance Of Donations The Commission

shall have the right to accept donations from any person firm corporation or association if in the form of money or securities which shall be placed in the fish fund and used for the purposes set forth in section 290 of this act and if in the form of real or personal which shall be utilized or disposed of as provided by law

Section 292 Acquisition Of Lands (a) The Commission may acquire title to or control of lands or buildings within the Commonwealth or the fishing rights or other rights on lands suitable for the protection propagation and management of fish life or for public fishing or administrative purposes or to be used as hereinafter provided by purchase gift lease or otherwise

(b) The Commission may also purchase tax delinquent lands from the commissioners of the respective counties or lease from the county treasurers of the respective counties as provided by law

(c) The Commission may exchange timber which should be cut from lands for which title has been acquired for suitable lands having an equal or greater value than the estimated value thereof Provided That when the estimated value of or the value placed upon such timber in any such agreement for exchange exceeds three hundred dollars (\$300.00) the proposed exchange shall be advertised at least once a week for three successive weeks in two newspapers of general circulation if so many be published in the county where the said timber may be situated

(d) Lands for which titles are acquired may be designated State Fish Hatcheries or State Fish Farms or State Fish Propagation Areas or Public Fishing Grounds depending upon the purpose for which they are to be used Other lands for which the Commission secures title control or partial control may be given such designation as the Commission may decide

(e) All acquisitions of lands shall be made only with the consent of the Governor and a majority of the Commission The Executive Director shall represent the Commission in the execution of land purchase contracts and in the execution of leases and other similar agreements approved by the Commission

(f) The Commission may lease or otherwise secure rights of way on and across either publicly-owned or privately-owned lands or waters or other rights which may be required to conduct its proper functions

(g) The Commission may be lessor as well as lessee of lands or waters or both

Section 293 Title And Control The title to any lands to be acquired by purchase gift exchange or otherwise shall be taken in the name of the Commonwealth for use of the Commission

The title records for such lands shall first be carefully searched and examined by the Commission through its employees or agents and when satisfied a valid title can be secured a brief of the title shall be submitted to the Attorney General or a deputy general whom he may designate for such review as he may deem necessary and if he considers said title valid he shall approve it and so notify the Commission

The deed to any such lands shall be deposited with the Secretary of Internal Affairs

The entire control of all such lands shall be under the direction of the Commission

Section 294 Purchase Price For land to be used as State Fish Hatcheries State Fish Farms State Fish Propagation Areas or Public Fishing Grounds the Commission may pay what it considers a fair and reasonable price

Buildings for administration management or other purposes with or without land may be purchased or constructed and land may be purchased upon which to construct such buildings at prices which the Commission considers fair and reasonable consistent with the purpose for which intended Provided That the contract for and the construction of any such building shall be in accordance with the provisions of existing law governing the erection of buildings for other departments of the State government and for independent administrative boards and commissions

The Commission may expend for lands or buildings or other improvements or for leases during any year such amount as in its opinion can be allotted for such purposes

Section 295 Exchange Or Sale (a) The Commission may by resolution adopted by unanimous vote at a meeting when at least a majority of the members are present and voting authorize the exchange or sale of any lands for which title has been acquired or part thereof or buildings or other improvements and appurtenances thereto for privately-owned lands or buildings having an equal or greater value of suitable purposes when the Commission deems such exchange or sale for the best interests of the Commonwealth

The necessary deeds or records to consummate such sale or exchange shall be subject to approval of the Attorney General or a Deputy Attorney General whom he may designate and shall be executed by the Executive Director acting for the Commonwealth The proceeds of any such sale shall be deposited in the fish fund

(b) Lands or buildings to which title has been taken in the name of the Commonwealth for the use of the Commission by purchase gift or otherwise shall be exempt from the payment of all taxes except such fixed charges as apply to and are imposed upon State forests

(c) Lands for which title has been acquired for use of the Commission or which have been leased or any part thereof may be used for the purpose of creating and maintaining State Fish Hatcheries State Fish Farms State Fish Propagation Areas and Public Fishing Grounds either for the propagation of fish or for fish propagation experiments or for special preserves as hereinafter provided and as much thereof as deemed necessary may be used for the administration development and management of such lands and the Commission may permit its employees or agents to reside thereon

(d) The Commission may cut or cut and remove and sell or otherwise dispose of or permit the cutting removing and selling of timber on lands for which title has been acquired

(e) The Commission may grant rights of way or licenses for rights of way for roads pipe lines electric lines telephone lines and telegraph lines on and across lands for which title has been acquired for its use when such grants will not in the opinion of the Commission adversely affect fish protection and propagation and shall charge for such licenses such remuneration and damages as the Commission deems the conditions and circumstances warrant

(f) The Commission may grant water rights or rights to maintain airway beacon lights or forest fire observation towers on lands acquired for its use when such grants will not adversely affect fish protection and propagation and may charge for such licenses such rental and damages as the Commission deems the conditions and circumstances warrant

(g) No camp site lease may be issued to any person but camping may be permitted on State Fish Commission owned or controlled lands under such regulations as the Commission may establish No camping shall be permitted on State hatchery properties

(h) All net proceeds from the sale of timber or for licenses or other rights granted by the Commission shall be deposited in the fish fund

(i) The Commission may purchase erect or otherwise acquire or secure the use of and repair and maintain such buildings or other improvements on lands acquired for its use or under its control as may be deemed necessary for their proper utilization maintenance protection development administration propagation of fish experimental activities or any other purpose incident to the Commission's functions

(j) All net proceeds from oil gas or other mineral leases on Commission owned lands or royalty or other revenue from the production or sale of such minerals shall be deposited in the fish fund

Chapter XVI Construction Repealer and Effective Date

Section 300 Construction It is the intent of this act to prescribe an exclusive system for the angling catching and taking of fish and for their propagation management and protection in waters within bounding on or adjacent to this Commonwealth but this act shall not repeal any law relating to the taking and catching or for the protection of frogs tadpoles and turtles

Section 301 Repealer The act of May 2 1925 (P L 448)

entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is repealed

Section 302 Effective Date This act shall take effect immediately except as to the provisions concerning fees and licenses which shall take effect January 1 1960

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frank, | Lutty, | Riley, |
| Anderson, | Frascella, | McCandless, | Rovansek, |
| Arlene, | Fulmer, | McCann, | Sakulsky, |
| Balthaser, | Galley, | McInroy, | Scarcelli, |
| Barton, | Gallagher, | McLaughlin, | Schuster, |
| Bell, | Garlock, | Machmer, | Schaaf, |
| Blair, | George, | Magee, | Sherman, |
| Boles, | Gelfand, | Mahan, | Seitzer, |
| Boris, | Goldstein, M. H., | Markley, | Shupnik, |
| Bower, | Goodrich, | Maxwell, | Snare, |
| Bonner, | Gramlich, | Meholchick, | Snider, |
| Bowman, | Hamilton, | Merry, | Stank, |
| Breth, | Henzel, | Mihm, | Steckel, |
| Buchanan, | Hooker, | Miller, B. Z., | Stewart, |
| Burns, | Holliday, | Miller, H. G., | Stimmel, |
| Capano, | Holt, | Mills, | Stone, |
| Capitolo, | Horst, | Muldowney, | Stoner, |
| Cianfrani, | Irlis, | Munley, | Sullivan, |
| Cioffi, | Isaacs, | Murphy, P. J., | Taylor, |
| Clarke, | Jenkins, | Murray, H. P., | Thompson, |
| Comer, | Jim, | Murray, J. J., | Tompkins, |
| Crossin, | Johnson, A. W., | Musto, | Trusio, |
| Curwood, | Johnson, R., | Naugle, | Varallo, |
| Davis, | Jones, F. R., | Needham, | Verona, |
| Dengler, | Jump, | Nelson, | Wall, |
| Dennison, | Kamyk, | O'Dell, | Walsh, |
| Devlin, | Kee, | O'Donnell, J. A., | Wargo, |
| Donahue, | Keiser, | O'Neil, | Weldner, |
| Dougherty, | Kernaghan, | Odorisio, | Welsh, |
| Down, | Knecht, | Ogilvie, | Wescott, |
| Edwards, | Kessler, | Parlante, | Wheeler, |
| Ellberg, | Kooker, | Pashley, | Williams, E. S., |
| Eshback, | Korns, | Perry, H. H., | Willaredt, |
| Eshleman, | Kovolenko, | Perry, P. E., | Williams, A.D., Jr., |
| Ewing, | Kubitsky, | Petrosky, | Willard, |
| Farabaugh, | Lamb, | Polaski, | Wood, |
| Fetterolf, | Lee, A. M., | Polen, | Wynd, |
| Filo, | Lee, K. B., | Prendergast, | Yatron, |
| Fineman, | Leonard, | Price, | Yetter, |
| Floyd, | Light, | Pursley, | Zimmerman, |
| Flynn, | Lippincott, | Reibman, | Andrews, |
| Foerster, | Lopresti, | Renwick, | Speaker |
| Fox, | Lulgard, | Rigby, | |

NAYS—1

Worley,

NOT VOTING—38

| | | | |
|-------------------|------------------|--------------------|------------|
| Ashton, | Guthrie, | Monroe, | Schwartz, |
| Auker, | Heavey, | Moran, | Silverman, |
| Branca, | Heffner, | Mullen, | Stevens, |
| Brenninger, | Helm, | Murphy, A.J., Jr., | Strausser, |
| Brown, | Jones, T. H. W., | Murray, P. G., | Stroup, |
| Cooper, | Kornick, | O'Donnell, J. P., | Ujobal, |
| Dennis, | Limper, | Reidenbach, | Varner, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Gibb, | McDonald, | Rudisill, | Wilt, |
| Goldstein, J. H., | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1078

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1078.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No 1078, entitled: An Act amending the act of May 1 1933 (P L 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" providing for biennial registration

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER

DOUGLAS H. ELLIOTT

JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN

ARTHUR J. WALL

(Committee on the part of the House of Representatives)

An Act amending the act of May 1 1933 (P L 216) entitled "An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists and for the revocation and suspension of such licenses and registration subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws" providing for biennial registration and fixing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (j) of section 3 sections 4 and 8 act of May 1 1933 (P L 216) known as "The Dental Law" are amended to read

Section 3 General Powers of the State Dental Council and Examining Board The State Dental Council and Examining Board (hereinafter called the board) created appointed and organized in accordance with the provisions of the Administrative Code and its amendments shall have power

* * *

(j) To provide for regulate and require all persons licensed in accordance with the provisions of this act to register [annually] biennially with the board to prescribe the form of such registrations to require as a condition precedent to such [annual] biennial registration the payment of such [annual] biennial registration fee as shall be fixed according to law to issue [annual]biennial registration certificates to such persons and to suspend or revoke the license or registration of such persons as fail refuse or neglect to register [annually] biennially or pay such fee The Department of Public Instruction shall be required to publish [annually] biennially a list of the persons registered for that particular [year] biennium

* * *

Section 4 Fees The fee for an applicant for examination and licensure to practice dentistry or as a dental hygienist in the Commonwealth shall be fixed by the Department of Public Instruction in accordance with existing law It shall be the duty of all persons now qualified and engaged in the practice of dentistry and dental hygiene or who shall hereafter be licensed by the board to register [annually] biennially with said board and pay for each such [annual] biennial registration [such] a fee [as may be fixed by the Department of Public Instruction] which shall be ten dollars (\$10) for persons engaged in the prac-

tice of dentistry and four dollars (\$4) for persons engaged in the practice of dental hygiene

Section 8 Status of Existing Practitioners Preserved Any person licensed or legally authorized to practice dentistry or as a dental hygienist in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of dentistry or as a dental hygienist without being required to be licensed and under the provisions of this act subject however to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in this act and subject to the powers of the board to require any such person to register [annually] biennially with the board as provided in this act

Section 2 Section 10 of the act amended April 30 1938 (P L 554) is amended to read

Section 10 Penalties It is unlawful for any person to practice dentistry or to hold himself or herself out as a practitioner of or entitled or authorized to practice dentistry or to assume any title of "dentist" "dental surgeon" or other letters or titles in connection with his or her name which in any way represent him or her as being engaged in the practice of dentistry or authorized so to do unless he or she has been duly licensed registered and authorized to engage in such practice under the provisions of this act

It is unlawful for any person to practice dentistry or as a dental hygienist under a name other than that on his or her license and [annual] biennial registration or to practice under the name or his or her license and [annual] biennial registration with any addition thereto except a purely technical appellation such as "Dentist" "DDS" "Orthodontist" or other word or letters pertaining strictly to the practice of dentistry or to induce any person to practice dentistry or as a dental hygienist in violation of this act

It is unlawful for any person to sell offer to sell or barter or exchange any diploma or document conferring or purporting to confer any dental degree or any license or registration certificate issued according to law regulating the licensing of dentists or dental hygienists or to alter any such document with fraudulent intent or to use it as a license or registration certificate to practice dentistry under an assumed name or to make any false statement in an affidavit relating to or in an application for a license

It is unlawful for any person to practice dentistry or as a dental hygienist unless his or her license and [annual] biennial registration certificate are displayed in the office in which he or she is practicing dentistry or as a dental hygienist

It is unlawful for a person practicing dentistry to employ a dental hygienist as his or her assistant unless such assistant is licensed and registered as a dental hygienist as required by this act and the rules and regulations of the board

It is unlawful for any dentist to permit any dental hygienist operating under his general supervision to perform any operation other than those included within practice as a "Dental Hygienist" as defined by section two of this act

It is unlawful for any dental hygienist to perform any of the operations included in practice as a "Dental Hygienist" as defined by section two of this act except under the general supervision of a licensed and registered dentist

Any person violating any of the provisions of this section or any other provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to suffer imprisonment not exceeding six months or both in the discretion of the court

Section 3 This act shall take effect in thirty days

On the question,

Will the House adopt the report of the Committee of Conference?

The SPEAKER. I would like to have anything that I say apply generally, and I will have particular reference

to two bills, two reports, rather than make special reference to the first report.

Ladies and gentlemen of the House, if I break down because of grief and sorrow, forgive me. My heart is full of grief and, if I wore boots, my boots would be full of tears. I see by going over the list of Conference Committee Reports that they are going to place a great affliction, financial handicap, particularly on the doctors and the dentists. They are going to raise fees.

Ladies and gentlemen of the House, this is serious business. They are going to raise fees so high that if the doctors paid them, they would have to work 30 seconds more on some days; they actually would. Now we must remember what these doctors have done for us. Back in my town they have abolished sickness on Thursday; they just say do not get sick on Thursdays, that is our day when we recreate. And they advise us not to get sick on Saturday afternoon, forenoon or evening. You just cannot expect that these poor doctors who have been fighting poverty all these years and barely scraping up a dollar for a fee—I wonder what they are going to raise them to. Steve, what are we going to raise them to?

Mr. McCANN. Five dollars.

Mr. ANDREWS. Five dollars! Five dollars, think of it! A practicing physician worried by the people who fill his office! He wants to turn his attention to matters of curing and there stands that five dollar fee facing him in the face. How do you think a man can keep a clear mind in a situation of that kind?

I feel very deeply about this. The gentleman from Pittsburgh, Mr. Rigby, today gave me a contribution for CARE. I am going to discuss with Rigby, if you raise the fee on these positions, I am going ask Mr. Rigby whether I cannot go back to Johnstown and use that as sort of a foundation fee upon which the destitute doctors can draw if we increase these fees to this atrocious level. I will go back and raise enough money so that any doctor who says he cannot do it, he is just at the end of his financial string, we will finance them.

I agree that people like chiropodists and osteopaths and barbers and so forth are in the higher classification, and, naturally, can be expected to pay higher money than doctors and dentists and the like.

It's cowed me into a corner, I waive my sorrow, I may have to choke and swallow these bills, but I tell you, it is causing me great tribulation. This is as far as I can go with this address, when I see what is happening to these doctors.

Mr. MAXWELL. Mr. Speaker and Members of the House, I rise in opposition not only to this bill but to all bills of this same category beginning on page 7 and ending on page 8.

I appreciate the humor that the former speaker just used. It is a great trick. I am not going to plead that these people do not have the ability to pay. They do have the ability to pay. I am not pleading poverty for anyone on any of these bills. What I am going to say to you is that these bills started out, when Dr. Boies and I put our signature on these bills, as economy measures.

These bills were originally intended, I repeat, as economy measures. They were to register every two years at the same fee as had previously been charged. By doing this the various boards and departments were to save enough money to finance a list of other bills that are

now in the Senate, to raise the per diem and traveling expenses of the various board members. This would have been adequate to have paid for it.

I signed these bills in good faith and so did Dr. Boies. Incidentally, Dr. Boies refused to sign his name to the Conference Committee Reports. These bills have now turned from economy measures into tax-raising measures. I am not pleading poverty for any of these people affected. We put a small bite on them this year. Remember the sales tax started out at one percent and no one in this House ever predicted that it would go to four percent, but it went. And what is going to stop the Legislature in the next biennium, if they want another five or ten million dollars, from putting another bite on all these people.

I tell you, Members of the House, the reason these bills are being rushed through today. They are being rushed through before all the people affected by these bills can have letters on your desk protesting the passage of this bill. I have in my possession only a few of these letters. The Conference Committee only ended yesterday. I am going to read one, just one letter. It is very short. It will take a minute.

"The Pennsylvania Hairdressers' Association Inc., and Cosmetologists, whom I represent are in favor of House Bill 1517 as originally introduced and we feel that it would be a definite economy measure by placing the issuing of licenses on a biennial basis.

"However, we are definitely opposed to any increase in the license fees that we are now paying as we are already contributing more than any other of the professions under the Bureau of Public Licensing and are getting a smaller return in regard to inspection services and other services for the money so contributed."

Mr. McCANN. I just want to ask him if he read right that it said House Bill 1517, for I though he was debating the bills that were part of this package.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. MAXWELL. I am very sorry, Mr. Speaker. I will stop reading this letter. I just wanted to read the one letter that would indicate how everyone who is affected feels. They do not object to paying their fair share whatever the amount is, whether it is five dollars, ten dollars, fifty dollars. They do not object as long as it is money used to operate their particular department, but when you step out of that category and make these bills a purely tax-raising measure, then they do object to it.

Therefore, Mr. Speaker and Members of the House, I do not want to be any party to this and I ask that my sponsorship be withdrawn from these bills.

Mr. TOMPKINS. I have sat here and listened with a great deal of interest to the debate on these bills, and, in view of what I have heard pro and con, I would like to send a crying towel up to the Speaker and one over to Dr. Maxwell.

Mr. MAXWELL. Mr. Speaker, I thank the gentleman from Cameron for the towel, and I am sure that if they held these bills up until after we come back from recess every man in this House will need one.

Mr. POLEN. Mr. Speaker, my purpose at this time is to clarify what the Conference Committee did. It is true, as the gentleman from Westmoreland, Dr. Maxwell, stated, that these bills when they left the House provided for

biennial registration.

In the Senate they were amended so as to provide what could be considered a revenue-raising measure because they raised the biennial registration to, except in one case, \$20, which definitely would have placed them in class of having raised revenue. However, the difference between the House and the Senate was the only matter which we had to discuss and which we were given the duty to adjust, so we were faced with a \$20 biennial registration in all cases as placed in the bills by the Senate against the biennial registration based upon the present fees when it left the House.

Here is what we did. We secured the recommendations of a number of people, including the Department of Public Instruction, the Bureau of Professional Licensure, and we did this: we adjusted the dentists, engineers, surveyors, architects and doctors the same basis as was already being charged the osteopaths, physicians, surgeons, the optometrists, the veterinarians the real estate brokers, we adjusted them all to the five dollar fee, which on a biennial basis would be \$10, so that there would be a degree of uniformity in the different professions as they existed.

In the case of the registered nurses we accepted the Senate figure. They had increased it from two dollars a biennium to four dollars, and we accepted that figure. The others were simply an adjustment to a biennial basis. In many of them no changes were made so that they are in many respects, or as near as is possible to make them, uniform. That is what we were faced with. It is true that the gentleman from Allegheny, Dr. Boies dissented, but all the other members of the committee agreed and signed the report.

It is true that under a Supreme Court decision licensing fees cannot be used for general revenue purposes. They must be applied at least to a degree for the purposes of policing and expenses of the different boards under which they are handed. These bills as they stand now will not be revenue raisers because we have passed them through this House and sent them to the Senate. They are on the third reading calendar today in a series of bills doubling the expense allowances, per day, plus the other expenses for these different boards. When the sum total is added up, I believe the degree of reasonableness, which the Supreme Court says must exist, will still exist as it has in the past between the licensing fees as collected and the different boards under the Department of Public Instruction.

Mr. AGNEW. Mr. Speaker, I do not think the Members who are calling "roll call" will mind. They know I never speak at length. I have a few brief remarks to make on this bill.

One in defense of doctors—not that I think they need any defense and not that I was not amused by remarks of the gentleman from Cambria, Mr. Andrews, because his remarks were well made and well taken. In that connection I think it must also be said in all seriousness that doctors are members of a much maligned profession. They do not object, and neither do any of us, to a five-dollar annual registration fee, or even if it would be twice that much or even more. I think those of us who are representatives of the people must admit that a doctor's income, at least in my opinion, should be greatly

in excess of the average member of society because of a doctor's value to society, because of his great training and the years and the expense he puts into his education and the building up of his practice.

Another thing, I think those of us who represent the people must keep in mind that too many of us expect a doctor to be on duty seven days a week, twenty-four hours a day. They have the same human machine as the rest of us do. I do not see how a man in the general practice of medicine is able to take it. He is called, and I know some of them personally who are called, almost every night in the week after they have gone to bed and after they have gone to sleep for the night. They are called out to perform a valuable medical service. How many of us would be willing to do that in connection with our employment duties? Not every night in the week. That is why the practice of medicine has evolved into a practice of specialists and that is why those in general practice are teaming up in partnerships with one or more other doctors to spell each other off.

I would like to say a word against these bills, not that I am against the dollar amounts. I think they are fair and I think the Conference Committee has done a commendable job in the limited field in which it had to operate, so my remarks are not in criticism of the Conference Committee. I just found out after caucus today the system we use in this Commonwealth in respect to licensing and appropriations to these various boards.

To those of you who do not understand it, as I did not, we license these various people at "x" dollars a year, and Dr. Maxwell is absolutely correct, it is not a license charge, it is a revenue raiser. All that money goes into the general fund and in one manner or another it filters back to the individual boards, not in the same amounts. I am not blaming the Majority Party anymore than I am blaming my own Party, but the whole system is inherently and basically wrong. A license fee should be used by the particular board to regulate that particular profession and it should be used for no other purpose whatsoever.

The license fees of the nurses, the dentists, the veterinarians, the barbers, the beauticians, the real estate people, the insurance people should go to their particular board for purposes of regulating that particular profession or trade for purposes of licensure, examination and investigation. We do not do that in this Commonwealth. In one particular field here, nurses will pay \$600,000 a biennium under the bills we are about to pass under this Conference Committee Report. Approximately 25 percent of that will be used for purposes of regulating the nurses' profession. That is not right. I think that this General Assembly should give some serious thought to changing around this whole basis of what we do with the license fees collected, because, Mr. Speaker, they are not license fees in the strict sense now; they are revenue raisers. I say it is wrong and I intend to vote against these bills and I intend to vote against these bills not because I am against the amounts and I do not think any member of any of these professions involved is against the amount of the annual or biennial license fee, but I know there is serious objection among many of them as to the manner in which the license fee is handled. It is not used for the only purpose for which a license can be extracted by the Commonwealth of Pennsylvania from any member

of these licensed groups. I suppose it is too late to do anything about it now. I am casting my vote in protest against this method that the state uses in collecting license fees.

Mr. MAXWELL. Mr. Speaker, if all the speakers are finished, I would request a slow roll call, and I do not want anyone recorded who is absent.

I want a slow roll call. I do not want anybody voted who is absent because this is going to be an important roll call for every Member here, and I am sure you want to be recorded properly. That is the only reason I am asking for it.

Mr. BELL. Mr. Speaker, I have read some of these bills during debate and the bills do not set forth the amount the fee is being raised from. I would like to request the Majority Leader that before we vote on these separate bills he state how much the present fee is and how much it is to be raised on a biennial basis.

Mr. McCANN. Mr. Speaker, on House Bill 1078, Printer's No. 2021, the first one, the present fee two dollars per year. The Conference Committee report is \$5 per year, \$10 per biennium, for the dentist.

The dental hygienist, the present law is \$2 per year, the proposed change is \$2 per year, \$4 per biennium. That is in House Bill 1078, Printer's No. 2021, and I ask that the Members of this House support the Conference Committee report.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. MAXWELL, GEORGE and HORST.

The roll was verified and was as follows:

YEAS—109

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Frascella, | Munley, | Schuster, |
| Arlene, | Gallagher, | Murphy, P. J., | Seltzer, |
| Balthaser, | Garlock, | Murray, H. P., | Sherman, |
| Bonner, | Gelfand, | Murray, J. J., | Shupnik, |
| Bower, | Goldstein, M. H., | Musto, | Snare, |
| Breth, | Hamilton, | Naugle, | Snider, |
| Burns, | Holt, | Needham, | Stank, |
| Capano, | Jenkins, | Nelson, | Stewart, |
| Cianfrani, | Jim, | O'Donnell, J. A., | Stoner, |
| Cioffi, | Johnson, A. W., | O'Neill, | Sullivan, |
| Clarke, | Jones, F. R., | Parlante, | Taylor, |
| Comer, | Jump, | Pashley, | Thompson, |
| Crossin, | Kamyk, | Perry, H. H., | Tompkins, |
| Curwood, | Knecht, | Petrosky, | Varallo, |
| Davis, | Korns, | Polaski, | Verona, |
| Devlin, | Kovolenko, | Polen, | Wall, |
| Dougherty, | Lamb, | Prendergast, | Walsh, |
| Down, | Lee, A. M., | Price, | Wargo, |
| Ellberg, | Leonard, | Pursley, | Weidner, |
| Eshleman, | Lopresti, | Reibman, | Welsh, |
| Ewing, | Luigard, | Renwick, | Willard, |
| Farabaugh, | Lutty, | Rigby, | Willaredt, |
| Flo, | McCann, | Riley, | Wood, |
| Fineman, | McInroy, | Rovasek, | Yatron, |
| Floyd, | McLaughlin, | Sakulsky, | Yetter, |
| Flynn, | Machmer, | Scarcell, | |
| Foerster, | Meholchick, | Schaaf, | |
| Frank, | Mihm, | | Andrews, |
| | | | Speaker |

NAYS-48

| | | | |
|-----------|-----------|-------------|----------------|
| Agnew, | Fulmer, | Kessler, | Miller, B. Z., |
| Barton, | George, | Kooker, | Miller, H. G., |
| Bell, | Goodrich, | Kubitsky, | Mills, |
| Boris, | Gramlich, | Lee, K. B., | Odorisio, |
| Bowman, | Hocker, | Light, | Oglvie, |
| Buchanan, | Holliday, | Lippincott, | Steckel, |
| Dengler, | Horst, | McCandless, | Strausser, |
| Dennison, | Isaacs, | Magee, | Wescott, |

| | | | |
|--|---|--|---|
| Donahue, Edwards, Eshback, Fetterolf, | Johnson, R., Kee, Keiser, Kernaghan, | Mahan, Markley, Maxwell, Merry, | Williams, A.D., Jr., Williams, E. S., Worley, Zimmerman, |
|--|---|--|---|

NOT VOTING—52

| | | | |
|---|--|---|---|
| Ashton, Auker, Blair, Boles, Branca, Brenninger, Brown, Capitolo, Cooper, Dennis, Donaldson, Fox, Gailey, | Gibb, Goldstein, J. H., Guthrie, Heavey, Heffner, Helm, Henzel, Irviss, Jones, T. H. W., Kornick, Limper, McCormack, McDonald, | McKeever, Monroe, Moran, Muldowney, Mullen, Murphy, A. J., Jr. Murray, P. G., O'Dell, O'Donnell, J. P. Perry, P. E., Reidenbach, Royer, Rudisill, | Schwartz, Silverman, Stevens, Stimmel, Stone, Stroup, Trusio, Ujobal, Varner, Wheeler, Whittaker, Wilt, Wynd, |
|---|--|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1080

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1080.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1080, entitled: "An Act amending the act of May 23, 1945 (P L 913) entitled 'An act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituents parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing Laws' Authorizing registration of certain qualified persons without examination and providing for biennial registration.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER,
DOUGLAS H. ELLIOTT,
JO HAYS,
(Committee on the part of the Senate.)

J. DEAN, POLEN,
ARTHUR J. WALL,
(Committee on the part of the House of Representatives.)

An Act amending the act of May 23 1945 (P L 913) entitled "An act relating to and regulating the practice of the profession of engineering including civil engineering mechanical engineering electrical engineering mining engineering chemical engineering surveying and constituent parts and combinations thereof as herein defined providing for the licensing and registration of persons practicing said profession and the certification of engineers in training and the suspension and revocation of said licenses registrations and certifications for violation of this act prescribing the powers and duties of the State Registration Board for Professional Engineers the Department of Public Instruction and the courts prescribing penalties and repealing existing

laws" authorizing registration of certain qualified persons without examination and providing for biennial registration

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 clause (1) of subsection (b) of section 4 act of May 23 1945 (P L 913) known as the "Professional Engineers Registration Law" is amended to read

Section 4 General Powers of Board The board shall have power

* * *

(b) Licensing Professional Engineers To provide for and to regulate the licensing and to license to engage in the practice of engineering any person of good character and repute who is a citizen of the United States or has declared his intention of becoming a citizen thereof at least twenty-five years of age and who speaks and writes the English language if such person either

(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state in which the requirements and qualifications to engage in the practice of engineering [are at least equal to the standards of this Commonwealth] were at the time of the initial issuance of such license or certificate of registration at least equal to the then existing standards of this Commonwealth Provided however That such other state or territory shall similarly license or register professional engineers licensed and registered in this Commonwealth A person may be licensed under this subdivision without examination

* * *

Section 2 Subsections (g) and (h) of section 4 of the first paragraph of section 8 and sections 9 and 10 of the act are amended to read

Section 4 General Powers of Board The board shall have power

* * *

(g) [Annual] Biennial Registrations Fees To provide for regulate and require all persons licensed in accordance with the provisions of this act and all persons licensed and registered under prior laws of the Commonwealth relating to the licensing of professional engineers and surveyors to register [annually] biennially with the board to prescribe the form of such registration and the payment of such [annual] biennial registration fee as shall be fixed according to law to issue [annual] biennial registration to such persons and to suspend or revoke the license or registration of such persons as fail refuse or neglect to so register or pay such fee within such time as the board shall prescribe by its rules and regulations and to reinstate licenses and registrations of persons who shall thereafter pay such registration fees in accordance with the rules and regulations of the board

(h) Roster of Registrants To keep a roster showing the names and addresses of the places of business of all professional engineers and surveyors licensed under this act and under prior laws and registered by the board which roster shall be published in booklet form by the board [at least once] every two years Copies of the roster shall be mailed to each registered person and be furnished to other persons upon request

* * *

Section 8 Procedure for the Suspension and Revocation of Licenses and Registrations Appeals Before the license of any licensee or any registration or any certification is suspended or revoked by the board a written copy of the complaint made shall be furnished to the licensee registrant or person against whom the same is directed and an opportunity be afforded him to be heard before the board personally and by counsel At least ten days' written notice of the time and place of such hearing shall be given the licensee registrant or person by registered mail addressed to the post office address as shown on the [annual] biennial registration or other record or information in possession of the board

* * *

Section 9 Fees The fee for an applicant for licensure as a professional engineer or surveyor including examination and for examination or certification or both

as an engineer-in-training [and for annual registrations as in this act required] shall be fixed by the department in accordance with existing law. All persons now qualified and engaged in the practice of engineering and surveying or who shall hereafter be licensed by the board shall register biennially with the board and pay for each biennial registration a fee of ten dollars (\$10.00). All fees collected under the provisions of this act shall be received by the department and shall be paid into the State Treasury through the Department of Revenue for the use of the General Fund of the Commonwealth.

Section 10 Status of Existing Licensees and Registrants Preserved. Any person licensed or legally authorized to practice as a professional engineer or surveyor in this Commonwealth at the time this act takes effect shall thereafter continue to possess the same rights and privileges with respect to the practice of engineering or surveying without being required to be licensed anew under the provisions of this act subject however to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in this act and subject to the power of the board to require any such person to register [annually] biennially with the board as provided in this act.

Section 3 This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, under the present law an engineer pays a fee of two dollars. This bill would make it five dollars, ten dollars a biennium. A surveying engineer now pays four dollars. This will would make it five dollars a year or ten dollars for the biennium. I request that we adopt this conference report. I am satisfied to take the same roll call, if there is no objection.

Mr. A. W. JOHNSON. That is all right. If anybody desires to change, he should have the opportunity of standing.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Frascella, | Munley, | Seltzer, |
| Arlene, | Gallagher, | Murphy, P. J., | Sherman, |
| Balthaser, | Garlock, | Murray, H. P., | Shupnik, |
| Bonner, | Gelfand, | Murray, J. J., | Snare, |
| Bower, | Goldstein, M. H., | Musto, | Snider, |
| Breth, | Hamilton, | Naugle, | Stank, |
| Burns, | Holt, | Needham, | Stewart, |
| Capano, | Jenkins, | Nelson, | Stoner, |
| Cianfrani, | Jim, | O'Donnell, J. A., | Sullivan, |
| Cioffi, | Johnson, A. W., | O'Neill, | Taylor, |
| Clarke, | Jones, F. R., | Parlante, | Thompson, |
| Comer, | Jump, | Pashley, | Tompkins, |
| Crossin, | Kamyk, | Perry, H. H., | Varallo, |
| Curwood, | Knecht, | Petrosky, | Verona, |
| Davis, | Korn, | Polaski, | Wall, |
| Devlin, | Kovolenko, | Polen, | Walsh, |
| Dougherty, | Lamb, | Prendergast, | Wargo, |
| Down, | Lee, A. M., | Price, | Weidner, |
| Eilberg, | Leonard, | Pursley, | Welsh, |
| Eshleman, | Lopresti, | Reibman, | Willard, |
| Ewing, | Luigard, | Renwick, | Willaredt, |
| Farabaugh, | Lutty, | Rigby, | Wood, |
| Filo, | McCann, | Riley, | Wynd, |
| Fineman, | McInroy, | Rovansek, | Yatron, |
| Floyd, | McLaughlin, | Sakulsky, | Yetter, |
| Flynn, | Machmer, | Scarcelli, | Andrews, |
| Foerster, | Meholchick, | Schaaf, | |
| Frank, | Mihm, | Schuster, | Speaker |

NAYS—48

| | | | |
|---------|---------|----------|----------------|
| Agnew, | Fulmer, | Kessler, | Miller, B. Z., |
| Barton, | George, | Kooker, | Miller, H. G., |

Bell,
Boris,
Bowman,
Buchanan,
Dengler,
Dennison,
Donahue,
Edwards,
Eshback,
Fetterolf,

Goodrich,
Gramlich,
Hocker,
Hollday,
Horst,
Isaacs,
Johnson, R.,
Kee,
Kelser,
Kernaghan,

Kubitsky,
Lee, K. B.,
Light,
Lippincott,
McCandless,
Magee,
Mahan,
Markley,
Maxwell,
Merry,

Mills,
Odoriso,
Oglvie,
Steckel,
Strausser,
Wescott,
Williams, A. D., Jr.,
Williams, E. S.,
Worley,
Zimmerman,

NOT VOTING—51

Ashton,
Auker,
Blair,
Boles,
Branca,
Brenninger,
Brown,
Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Galley,

Gibb,
Goldstein, J. H.,
Guthrie,
Heavey,
Heffner,
Helm,
Henzel,
Irviss,
Jones, T. H. W.,
Kornick,
Limper,
McCormack,
McDonald,

McKeever,
Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murray, P. G.,
O'Dell,
O'Donnell, J. P.,
Perry, P. E.,
Reldenbach,
Royer,
Rudisill,

Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Trusio,
Ujohal,
Varner,
Wheeler,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1081

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1081.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1081, entitled: An Act amending the act of July 12, 1919 (P. L. 933) entitled "An Act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the powers and duties of said board of examiners and providing penalties for the violation of this act" providing for biennial renewal of certificates and changing fees in accordance therewith

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives)

An Act amending the act of July 12, 1919 (P. L. 933) entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the powers and duties of said board of examiners and providing penalties for the violation of this act" providing for biennial renewal of certificates and changing fees in accordance therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Sections 10 and 11 act of July 12, 1919 (P. L. 933) entitled "An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the power and duties of said board of examiners and providing penalties for

the violation of this act" amended June 27, 1939 (P. L. 1188) are amended to read:

Section 10 Each architect receiving a certificate of qualification under the provisions of this act shall [annually] biennially in the month of June during the time such holder shall desire to continue the practice of architecture as a registered architect in this State apply for a renewal of said certificate whereupon the said board shall upon the payment to the Commonwealth of a fee [in such amount as may be fixed by the board not however in excess] of ten dollars issue to such architect in such form as the said board may provide a renewal of said certificate for the term of [one year] two years and such renewal shall be duly registered by the secretary of said board in the official register of the board hereinbefore provided for.

In the event that any holder of a certificate of qualification to practice architecture shall neglect or fail to have said certificate renewed in the manner herein provided during the month of June [in each and every year] biennially the right of such architect to practice as a registered architect in this State shall cease and determine on the last day of the month of June during which said certificate should have been renewed under the provisions of this act and it shall be the duty of the secretary of the said State Board of Examiners of Architects to give notice in writing by first class mail of the expiration of such certificate to the holder thereof and make proper entry on said register showing the expiration of such certificates.

Any holder of a certificate of qualification to practice architecture which as expired under the provisions of this section may obtain a renewal of such certificate at any time within one year from the date of its expiration upon application to and the approval of the State Board of Examiners of Architects and upon obtaining such approval and receiving such certificate shall pay to the Commonwealth a fee of ten dollars The time of renewal may be extended for a period not exceeding 60 days at the discretion of the board of examiners.

Section 11 The said State Board of Examiners of Architects may by unanimous action either suspend in the manner and for the reasons hereinafter set forth any certificate of qualification to practice architecture issued or renewed under the provisions of this act or may revoke said certificate for incompetency or recklessness or for neglect of duty in the practice of architecture or for dishonest practice in the practice of architecture or upon conviction of the crimes hereafter specified.

(a) The board may suspend for a period not exceeding six months a certificate to practice architecture in the Commonwealth of Pennsylvania of any architect who uses displays or advertises his name jointly as "architects" with the name of any other person not legally engaged in the practice of architecture Provided That nothing herein contained shall be construed as preventing or prohibiting any architect holding a certificate of said board from using displaying or advertising his or her name with the name of any other person or persons not an architect if each uses displays or advertises his true appellation

(b) The board may revoke any such certificate upon proof that the holder thereof has been guilty of causes for revocation hereinabove set forth

Any person or group of persons may prefer charges against an architect Such charges shall be in writing and sworn to by the complainant and forwarded to the State Board of Examiners

Any architect holding a certificate of said Board of Examiners of Architects against whom any of the foregoing charges may be preferred shall be furnished by the said board with a copy of the charges and shall be entitled to a hearing before the said board at which witnesses may be examined respecting the guilt or innocence of the person accused

In the event that the holder of a certificate of qualification to practice architecture issued by the board shall be convicted in any court of competent jurisdiction in this or any other state or commonwealth of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or

offenses and a duly certified or exemplified copy of the record in such proceedings shall be filed with the board the board shall revoke forthwith the registration to practice architecture which it before issued to the registrant so convicted

In the event that a certificate is revoked or suspended by said board the secretary shall make proper entry and registration of the fact of said revocation or suspension and shall give notice in writing of such revocation or suspension to the holder of said certificate

At any time after the expiration of six months from the date of revocation of said certificate and upon the payment of all costs incurred by said board the person whose certificate has been revoked may make application to the said Board of Examiners of Architects for a new certificate and the said board upon receiving evidence which in its opinion would warrant the granting of a new certificate may at its discretion issue a new certificate upon the payment to the Commonwealth of a fee of ten dollars

It shall be unlawful for any one to display publicly a certificate of qualification which the board has revoked suspended or refused to renew

Section 2 This act shall take effect in thirty days

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, the present architect's fee is four dollars per year. With the change in the Conference Committee it is five dollars per year, ten dollars a biennium.

I request that the House adopt the report of the Committee of Conference.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—111

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Frascella, | Munley, | Seltzer, |
| Arlene, | Gallagher, | Murphy, P. J., | Sherman, |
| Balthaser, | Garlock, | Murray, H. P., | Shupnik, |
| Bonner, | Gelfand, | Murray, J. J., | Snare, |
| Bower, | Goldstein, M. H., | Musto, | Snider, |
| Breth, | Hamilton, | Naugle, | Stank, |
| Burns, | Holt, | Needham, | Stewart, |
| Capano, | Jenkins, | Nelson, | Stoner, |
| Cianfrani, | Jim, | O'Donnell, J. A., | Strausser, |
| Cioffi, | Johnson, A. W., | O'Neil, | Sullivan, |
| Clarke, | Jones, F. R., | Parlante, | Taylor, |
| Comer, | Jump, | Pashley, | Thompson, |
| Crossin, | Kamyk, | Perry, H. H., | Tompkins, |
| Curwood, | Knecht, | Petrosky, | Varallo, |
| Davis, | Korns, | Polaski, | Verona, |
| Devlin, | Kovolenko, | Polen, | Wall, |
| Dougherty, | Lamb, | Prendergast, | Walsh, |
| Down, | Lee, A. M., | Price, | Wargo, |
| Eilberg, | Leonard, | Pursley, | Weidner, |
| Eshleman, | Lopresti, | Reibman, | Welsh, |
| Ewing, | Lulgard, | Renwick, | Willard, |
| Farabaugh, | Lutty, | Rigby, | Willardt, |
| Filo, | McCann, | Riley, | Wood, |
| Fineman, | McInroy, | Rovansek, | Wynd, |
| Floyd, | McLaughlin, | Sakulsky, | Yatron, |
| Flynn, | Machmer, | Scarcelli, | Yetter, |
| Foerster, | Meholchick, | Schaaf, | Andrews, |
| Frank, | Mihm, | Schuster, | Speaker |

NAYS—47

| | | | |
|-----------|--------------|-------------|----------------------|
| Agnew, | Fulmer, | Kessler, | Miller, B. Z., |
| Barton, | George, | Kooker, | Miller, H. G., |
| Bell, | Goodrich, | Kubitsky, | Mills, |
| Boris, | Gramlich, | Lee, K. B., | Odorisio, |
| Bowman, | Hocker, | Light, | Ogilvie, |
| Buchanan, | Holliday, | Lippincott, | Steckel, |
| Dengler, | Horst, | McCandless, | Wescott, |
| Dennison, | Isaacs, | Magee, | Williams, A.D., Jr., |
| Donahue, | Johnson, R., | Mahan, | Williams, E. S., |

Edwards,
Eshback,
Fetterolf,

Kee,
Kelser,
Kernaghan,

Markley,
Maxwell,
Merry,

Worley,
Zimmerman,

NOT VOTING—51

Ashton,
Auker,
Blair,
Boles,
Branca,
Brenninger,
Brown,
Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Galley,

Gibb,
Goldstein, J. H.,
Guthrie,
Heavey,
Heffner,
Helm,
Henzel,
Iris,
Jones, T. H. W.,
Kornick,
Limper,
McCormack,
McDonald,

McKeever,
Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.
Murray, P. G.,
O'Dell,
O'Donnell, J. P.
Perry, P. E.,
Reldenbach,
Royer,
Rudisill,

Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Trusio,
Ujobal,
Varner,
Wheeler,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1082

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1082.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1082, entitled: An Act amending the act of March 2, 1956 (P. L. 1206) entitled "An act relating to and defining the practice of chiropody conferring powers and imposing duties of the State Board of Chiropody Examiners and the Department of Public Instruction requiring licensure providing for the granting cancellation suspension and revocation of licenses preserving the rights of existing licenses providing for the promulgation of rules and regulations transfer of jurisdiction and records to the board regulation of schools of chiropody reciprocity and providing penalties and remedies" providing for biennial renewal of registration and changing fees in accordance therewith.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT

JO HAYS
(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of March 2, 1956 (P. L. 1206) entitled "An act relating to and defining the practice of chiropody conferring powers and imposing duties on the State Board of Chiropody Examiners and the Department of Public Instruction requiring licensure providing for the granting cancellation suspension and revocation of licenses preserving the rights of existing licenses providing for the promulgation of rules and regulations transfer of jurisdiction and records to the board regulation of schools of chiropody reciprocity and providing penalties and remedies" providing for biennial renewal of registration and changing fees in accordance therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 9 act of March 2, 1956 (P. L. 1206) known as the "Chiropody Act of 1956" is amended to read:

Section 9 The board shall issue a license to practice chiropody to those qualified under the provisions of this

act. All original registration shall expire on the first day of January next succeeding the issue thereof and thereafter each person shall be required to register [annually] biennially before the first day of January of each [succeeding] alternate year. The form and method of such registration shall be provided for by the board in a manner enabling it to carry into effect the purposes of this act. Each person who registers shall pay for each [annual] biennial registration a fee of [five dollars (\$5) ten dollars (\$10) for the amount the department may determine] The fees required by this act shall be paid into the State Treasury for the use of the Commonwealth.

Section 2 This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. The chiropodist's fee is now five dollars. This bill makes it five dollars; ten dollars a biennium.

Mr. BELL. Mr. Speaker, I think there are a number who are going to vote yes on this bill since there is no increase of fees. I was just wondering if you want to take a sampling of negative votes just to save time.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—127

Anderson,
Arlene,
Balthaser,
Bell,
Bonner,
Bower,
Bowman,
Breth,
Burns,
Capano,
Cianfrani,
Cloff,
Clarke,
Comer,
Crossin,
Curwood,
Davis,
Dennison,
Devlin,
Donahue,
Dougherty,
Down,
Elberg,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flyan,
Foerster,

Frank,
Frascella,
Gallagher,
Garlock,
Gelfand,
Goldstein, M. H.,
Hamilton,
Holliday,
Holt,
Horst,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Jones, F. R.,
Jump,
Kamyk,
Kessler,
Knecht,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Leonard,
Lippincott,
Lopresti,
Lugard,
Lutty,
McCann,
McInroy,
McLaughlin,

Machmer,
Meholchick,
Mihm,
Miller, H. G.,
Mills,
Munley,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Donnell, J. A.,
Ogilvie,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,
Riley,
Rovanssek,
Sakulsky,
Scarcelli,

Schaaf,
Schuster,
Seltzer,
Sherman,
Shupnik,
Snare,
Snider,
Stank,
Stewart,
Stoner,
Sullivan,
Taylor,
Thompson,
Tompkins,
Varallo,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Williams, A.D., Jr.,
Willard,
Willaredt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—31

Agnew,
Barton,
Boris,
Buchanan,
Dengler,
Edwards,
Eshback,
Fulmer,

George,
Goodrich,
Gramlich,
Hocker,
Johnson, R.,
Kee,
Kelser,
Kernaghan,

Kooker,
Lee, K. B.,
Light,
McCandless,
Mages,
Mahan,
Markley,
Maxwell,

Merry,
Miller, B. Z.,
Odoriso,
Steckel,
Strausser,
Wescott,
Williams, E. S.,

NOT VOTING—51

Ashton,
Auker,
Blair,
Boles,
Branca,
Brenninger,
Brown,

Gibb,
Goldstein, J. H.,
Guthrie,
Heavey,
Heffner,
Helm,
Henzel,

McKeever,
Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.
Murray, P. G.,

Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Trusio,

Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Galley,

Iris,
Jones, T. H. W.,
Kornick,
Limper,
McCormack,
McDonald,

O'Dell,
O'Donnell, J. P.
Perry, P. E.,
Reldenbach,
Royer,
Rudisill,

Ujobai,
Varner,
Wheeler,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1083

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1083.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1083, entitled: An Act Amending the act of March 19, 1909 (P. L. 46) entitled as amended "An act to regulate the practice of osteopathy and surgery in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopathic physicians and surgeons in this State and to provide penalties for the violation of this act" providing for biennial registration.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of March 19, 1909 (P. L. 46) entitled as amended "An act to regulate the practice of osteopathy and surgery in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopathic physicians and surgeons in this State and to provide penalties for the violation of this act" providing for biennial registration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows.

Section 1. Section 13 act of March 19, 1909 (P. L. 46) entitled as amended "An act to regulate the practice of osteopathy and surgery in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopathic physicians and surgeons in this State and to provide penalties for the violation of this act" amended May 31, 1957 (P. L. 213) is amended to read.

Section 13. From and after the approval of this act no person shall enter upon or continue the practice of osteopathy or osteopathy and surgery in the State of Pennsylvania unless he or she has complied with the provisions of this act It shall be the duty of all persons now qualified and engaged in the practice of osteopathy or osteopathy and surgery or who shall hereafter be licensed by the State Board of Osteopathic Examiners to engage in such practice in this Commonwealth to register with the said State Board of Osteopathic Examiners as practitioners on or before the first day of January one thousand

nine hundred and twenty-six and thereafter to register with said board in like manner [annually] biennially on or before the thirty-first day of October of each succeeding [year] biennium The form and method of such registration shall be provided for by such board in such manner as will enable it to carry into effect the purposes of this act The said State Board of Osteopathic Examiners shall be entitled to demand for each [annual] biennial registration a fee of [five] ten dollars [or such other sum as shall be fixed by the Department of Public Instruction under authority of law] The fee shall in all cases accompany the application for such registration All fees received hereunder shall unless otherwise provided by law be used by the said board in carrying out the provisions of this act.

Any person licensed and engaged in the practice of osteopathy or osteopathy and surgery who shall fail neglect or refuse to [annually] biennially register with the State Board of Osteopathic Examiners as above provided shall be subject to a penalty for the first offense not to exceed twenty-five dollars and for any second or subsequent offense to a penalty not exceeding fifty dollars such penalties to be fixed by the Board of Osteopathic Examiners in its rules and regulations.

The board shall notify any person so failing to register by registered mail of any penalty so imposed and if the same is not paid within thirty days after receipt of said notice it may be collected by suit in the same manner as debts of like amount are now by law collectible All fines so imposed and collected shall be paid to the board and shall by it be paid into the State Treasury The Board of Osteopathic Examiners may also revoke the license to engage in the practice of osteopathy or osteopathy and surgery of any person who shall fail or refuse to register [annually] biennially after notice of the imposition of a penalty as above provided.

Any person who shall practice or attempt to practice osteopathy or osteopathy and surgery as defined in this act in treating diseases or any ailment whatsoever of the human body or who shall use any of the terms or letters osteopath osteopaths osteopathy doctor of osteopathy diplomat in osteopathy or D. O. or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of osteopathy or osteopathy and surgery without having first obtained the license herein provided for or contrary to the provisions of this act or who shall under any other term or name practice or attempt to practice osteopathy or osteopathy and surgery as defined in this act or who for the purpose of obtaining such license shall falsely represent himself or herself to be the holder of a diploma as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county wherein the offense shall have been committed shall pay a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than ninety days for each offense either or both at the discretion of the court Provided however That nothing contained in this act shall be construed as affecting the so-called practice of medicine.

Section 2. This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, the osteopaths now pay five dollars. The Conference Committee Report on House Bill 1083 provides for five dollars a year; ten dollars a biennium.

The SPEAKER pro tempore. For the information of the Members, there is no change in the fee in this bill, which is similar to the one we just voted on. If it is agreeable, the Chair will take simply the votes of those who

desire to vote No on this bill, and then we can establish two roll calls, one in which there will be "no" votes, where there is a change, and the other where there will be no change.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—137

| | | | |
|------------|-------------------|-------------------|----------------------|
| Anderson, | Frascella, | Machmer, | Schuster, |
| Arlene, | Gallagher, | Markley, | Seltzer, |
| Balthaser, | Garlock, | Maxwell, | Sherman, |
| Bell, | Gelfand, | Meholchick, | Shupnik, |
| Bonner, | George, | Mihm, | Snare, |
| Boris, | Goldstein, M. H., | Miller, H. G., | Snider, |
| Bower, | Goodrich, | Mills, | Stank, |
| Bowman, | Hamilton, | Munley, | Steckel, |
| Breth, | Hocker, | Murphy, P. J., | Stewart, |
| Burns, | Holliday, | Murray, H. P., | Stoner, |
| Capano, | Holt, | Murray, J. J., | Strausser, |
| Cianfrani, | Horst, | Musto, | Sullivan, |
| Cloff, | Jenkins, | Naugle, | Taylor, |
| Clarke, | Jim, | Needham, | Thompson, |
| Comer, | Johnson, A. W., | Nelson, | Tompkins, |
| Crossin, | Jones, F. R., | O'Donnell, J. A., | Varallo, |
| Curwood, | Jump, | Ogilvie, | Verona, |
| Davis, | Kamyk, | O'Neil, | Wall, |
| Dengler, | Kee, | Parlante, | Walsh, |
| Dennison, | Kessler, | Pashley, | Wargo, |
| Devlin, | Knecht, | Perry, H. H., | Weldner, |
| Donahue, | Korns, | Petrosky, | Welsh, |
| Dougherty, | Kovolenko, | Polaski, | Wescott, |
| Down, | Kubitsky, | Polen, | Williams, A.D., Jr., |
| Eilberg, | Lamb, | Prendergast, | Willard, |
| Eshleman, | Lee, A. M., | Price, | Willardt, |
| Ewing, | Leonard, | Pursley, | Wood, |
| Farabaugh, | Light, | Reibman, | Wynd, |
| Fetterolf, | Lippincott, | Renwick, | Yatron, |
| Filo, | Lopresti, | Rigby, | Yetter, |
| Fineman, | Luigard, | Riley, | Zimmerman, |
| Floyd, | Lutty, | Rovanssek, | |
| Flynn, | McCann, | Sakulsky, | Andrews, |
| Foerster, | McInroy, | Scarcelli, | Speaker |
| Frank, | McLaughlin, | Schaaf, | |

NAYS—21

| | | | |
|-----------|--------------|-------------|------------------|
| Agnew, | Gramlich, | Kooker, | Merry, |
| Barton, | Isaacs, | Lee, K. B., | Miller, B. Z., |
| Buchanan, | Johnson, R., | McCandless, | Odorisio, |
| Edwards, | Kelser, | Magee, | Williams, E. S., |
| Eshback, | Kernaghan, | Mahan, | Worley, |
| Fulmer, | | | |

NOT VOTING—51

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | McKeever, | Schwartz, |
| Auker, | Goldstein, J. H., | Monroe, | Silverman, |
| Blair, | Guthrie, | Moran, | Stevens, |
| Boles, | Heavy, | Muldowney, | Stimmel, |
| Branca, | Heffner, | Mullen, | Stone, |
| Brenninger, | Helm, | Murphy, A. J., Jr., | Stroup, |
| Brown, | Henzel, | Murray, P. G., | Trusio, |
| Capitolo, | Irviss, | O'Dell, | Ujobal, |
| Cooper, | Jones, T. H. W., | O'Donnell, J. P., | Varner, |
| Dennis, | Kornick, | Perry, P. E., | Wheeler, |
| Donaldson, | Limper, | Reidenbach, | Whittaker, |
| Fox, | McCormack, | Royer, | Wilt, |
| Galley, | McDonald, | Rudisill, | |

The majority required by the Constitution having voted affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1084

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1084.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1084, entitled: An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" providing for biennial registration and changing fees in accordance therewith.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER

DOUGLAS H. ELLIOTT

JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN

ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of March 30, 1917 (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" providing for biennial registration and changing fees in accordance therewith.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The first paragraph of section 7 act of March 30, 1917 (P. L. 21) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" amended May 25, 1937 (P. L. 795) is amended to read.

Section 7 The State Board of Optometrical Examiners shall charge the following fees for examination registration and renewals of certificates The sum of twenty-five dollars for a standard examination and two dollars for each branch office license Every registered optometrist who desires to continue the practice of optometry shall [annually] biennially on or before the first day of January in each biennium pay to the secretary of the board a renewal registration fee of [five] ten dollars per [annum] biennium for which he shall receive a renewal of his certificate He shall also pay a renewal license fee of [two] five dollars per [annum] biennium for each licensed branch office maintained by him.

* * *

Section 2. This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, House Bill 1084, Printer's No. 2026. The optometrists now pay five dollars. The bill provides for five dollars a year, ten dollars a biennium.

The branch office fee is now two dollars a year; this bill provides for two and one-half dollars a year, five dollars a biennium.

Mr. LIPPINCOTT. Mr. Speaker, perhaps I misunderstood you, but was not the original understanding that on bills where there was a fee raise, the initial roll call would then be taken with changes to be indicated from that initial roll call?

Now, this bill raises the fee, and therefore I thought the initial roll call would be taken, with anybody who wanted to change so listed.

The SPEAKER pro tempore. This particular bill is a mixture of the other two, and that is why the Chair asked for a change from the previous roll call.

Mr. LIPPINCOTT. Mr. Speaker, this bill does, nevertheless, raise a fee. I understand that in any instance where a fee was to be raised, the initial roll call would be used.

I would like to interrogate the Majority Leader and ask him if that was his understanding.

Mr. McCANN. Mr. Speaker, I have no objections to however they want to do it on the change on the roll call. This bill here is a mixture of the two. It changes the branch office fee which is an increase, but does not change the licensing fee of those people.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Foerster, | Machmer, | Scarcelli, |
| Arlene, | Frank, | Meholchick, | Schaaf, |
| Balthaser, | Frascella, | Mihm, | Schuster, |
| Bonner, | Gallagher, | Mills, | Seltzer, |
| Boris, | Garlock, | Munley, | Sherman, |
| Bower, | Gelfand, | Murphy, P. J., | Shupnik, |
| Bowman, | Goldstein, M. H., | Murray, H. P., | Snare, |
| Breth, | Goodrich, | Murray, J. J., | Snider, |
| Burns, | Hamilton, | Musto, | Stank, |
| Capano, | Holt, | Naugle, | Stewart, |
| Cianfrani, | Jenkins, | Needham, | Stoner, |
| Cioffi, | Jim, | Nelson, | Sullivan, |
| Clarke, | Johnson, A. W., | O'Donnell, J. A., | Taylor, |
| Comer, | Jones, F. R., | O'Neil, | Thompson, |
| Crossin, | Jump, | Parlante, | Tompkins, |
| Curwood, | Kamyk, | Pashley, | Varallo, |
| Davis, | Kee, | Perry, H. H., | Verona, |
| Dengler, | Knecht, | Petroshky, | Wall, |
| Dennison, | Korns, | Polaski, | Wargo, |
| Devlin, | Kovolenko, | Polen, | Weidner, |
| Dougherty, | Lamb, | Prendergast, | Welsh, |
| Down, | Lee, A. M., | Price, | Willard, |
| Ellberg, | Leonard, | Pursley, | Willaredt, |
| Eshleman, | Light, | Reibman, | Wood, |
| Ewing, | Lopresti, | Renwick, | Wynd, |
| Farabaugh, | Luigard, | Rigby, | Yatron, |
| Filo, | Lutty, | Riley, | Yetter, |
| Fineman, | McCann, | Rovansek, | Andrews, |
| Floyd, | McInroy, | Sakulsky, | Speaker |
| Flynn, | McLaughlin, | | |

NAYS—41

| | | | |
|------------|--------------|----------------|----------------------|
| Agnew, | Hocker, | Lee, K. B., | Odorisio, |
| Barton, | Holliday, | Lippincott, | Ogilvie, |
| Bell, | Horst, | McCandless, | Steckel, |
| Buchanan, | Isaacs, | Magee, | Strausser, |
| Donahue, | Johnson, R., | Mahan, | Walsh, |
| Edwards, | Keiser, | Markley, | Wescott, |
| Eshback, | Kernaghan, | Maxwell, | Williams, A.D., Jr., |
| Fetterolf, | Kessler, | Merry, | Williams, E. S., |
| Fulmer, | Kooker, | Miller, B. Z., | Worley, |
| George, | Kubitsky, | Miller, H. G., | Zimmerman, |
| Gramlich, | | | |

NOT VOTING—51

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | McKeever, | Schwartz, |
| Auker, | Goldstein, J. H., | Monroe, | Silverman, |
| Blair, | Guthrie, | Moran, | Stevens, |
| Boies, | Heavey, | Muldowney, | Stimmel, |
| Branca, | Heffner, | Mullen, | Stone, |
| Brenninger, | Helm, | Murray, A. J., Jr. | Stroup, |
| Brown, | Henzel, | Murray, P. G., | Trusio, |
| Capitolo, | Irvls, | O'Dell, | Ujobal, |
| Cooper, | Jones, T. H. W., | O'Donnell, J. P. | Varnar, |
| Dennis, | Kornick, | Perry, P. E., | Wheeler, |
| Donaldson, | Limper, | Reidenbach, | Whittaker, |
| Fox, | McCormack, | Royer, | Wilt, |
| Galley, | McDonald, | Rudisill, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee on Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1099

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1099.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1099, entitled: An act amending the act of May 22, 1951 (P. L. 317) entitled, "An act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws" providing for biennial registration.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of May 22 1951 (P. L. 317) entitled "An act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws" providing for biennial registration and changing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 11 act of May 22 1951 (P. L. 317) known as "The Professional Nursing Law" are amended to read

An Act

Relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the [annual] renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws

Section 11 Each person upon being licensed by the Board as a licensed registered nurse under the provisions of this act shall without additional fee therefor be given a card to evidence such license which shall be valid during the current renewal [year] biennium Licenses issued pursuant to this act shall expire on the thirty-first day of October of each [year] biennium or on such other

[annual] biennial expiration date as the Board may fix Application for renewal of a license shall [annually] biennially be forwarded to each active registrant prior to the expiration date of the current renewal [year] biennium The application form shall be completed and returned to the Board accompanied by the required fee of [one dollar (\$1)] four dollars (\$4) upon approval of each application the applicant shall receive a renewal of license

The form and method of licensure and renewal shall be provided for by the Board in such manner as will enable it to carry into effect the purposes of this act The Board shall maintain a record of all licenses issued under this act and of all renewals as herein provided

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, the registered nurses now pay one dollar a year. This Conference Committee Report, the same as the Senate, provides two dollars per year, four dollars a biennium. The practical nurses, who are under another section of the same law, no change.

Mr. BELL. Mr. Speaker, this 100 percent increase of license fees on the professional nurses is the most offensive bill in this package. These women do not drive Cadillacs. They work because they have to work. And they are not overpaid. I ask that everybody in this House vote no on this bill.

Mr. SCHAAF. Mr. Speaker, this House had no compunction at all in raising the fees for drivers' licenses, a license which is used by most of the citizens of this state, from one to two dollars. I have a mother who is a nurse, I have a sister who is a nurse, both of whom work at it. They receive, if my recollection is correct, \$14 a day. I do not think that this amount of money, a raise of one dollar per year, is at all punitive. I think it is deserving and in keeping with the purpose of this whole package that this increase go through also.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. TOMPKINS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, in order that the Members of the House, as a whole, may know what happens in case this Conference Report falls, I am asking: What happens should this Conference Committee Report be rejected?

The SPEAKER pro tempore. In that particular case the question of concurring in the amendments placed in the bill by the Senate comes before the House.

Mr. TOMPKINS. Then we would be right back where we started from with the bill coming back to the House for concurrence in the amendments, is that right?

The SPEAKER pro tempore. That is the understanding of the Chair.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—61

Arlene,
Balthaser,
Breth,
Capano,
Clanfrani,
Cioffi,
Comer,
Davis,
Devlin,
Dougherty,
Eilberg,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,

Foerster,
Frank,
Frascella,
Gallagher,
Garlock,
Goldstein, M. H.,
Hamilton,
Holt,
Jim,
Jones, F. R.,
Kamyk,
Korns,
Kovolenko,
Lamb,
Leonard,
Lopresti,

Luigard,
Lutty,
McLaughlin,
Mihm,
Mills,
Nelson,
O'Donnell, J. A.,
Parlante,
Pashley,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Rigby,

Riley,
Sakulsky,
Scarcelll,
Schaaf,
Snider,
Stank,
Taylor,
Thompson,
Varallo,
Verona,
Wall,
Welsh,
Yatron,
Andrews,
Speaker

NAYS—91

Agnew,
Anderson,
Barton,
Bell,
Bonner,
Bower,
Bowman,
Buchanan,
Burns,
Clarke,
Crossin,
Curwood,
Dengler,
Dennison,
Donahue,
Down,
Edwards,
Eshback,
Eshleman,
Ewing,
Fetterolf,
Fulmer,
Gelfand,

George,
Gramlich,
Hocker,
Holliday,
Horst,
Isaacs,
Jenkins,
Johnson, A. W.,
Johnson, R.,
Jump,
Kee,
Keiser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kubitsky,
Lee, A. M.,
Lee, K. B.,
Lippincott,
McCandless,
McCann,
McInroy,

Machmer,
Magee,
Markley,
Maxwell,
Meholchick,
Merry,
Miller, B. Z.,
Miller, H. G.,
Munley,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Needham,
O'Neill,
Odorisio,
Ogilvie,
Price,
Pursley,
Rebman,
Renwick,
Rovasek,
Schuster,

Seltzer,
Sherman,
Shupnik,
Snare,
Steckel,
Stewart,
Stoner,
Strausser,
Tompkins,
Walsh,
Wargo,
Weidner,
Wescott,
Williams, A.D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wood,
Worley,
Wynd,
Yetter,
Zimmerman,

NOT VOTING—57

Ashton,
Auker,
Blair,
Boles,
Boris,
Branca,
Brenninger,
Brown,
Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Galey,
Gibb,

Goldstein, J. H.,
Goodrich,
Guthrie,
Heavey,
Heffner,
Helm,
Henzel,
Irvis,
Jones, T. H. W.,
Kornick,
Light,
Limper,
McCormack,
McDonald,

McKeever,
Mahan,
Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murray, P. G.,
O'Dell,
O'Donnell, J. P.,
Perry, P. E.,
Reidenbach,
Royer,

Rudisill,
Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Sullivan,
Trusio,
Ujobai,
Varner,
Wheeler,
Whittaker,
Wilt,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the report of the Committee of Conference was not adopted.

REASONS FOR VOTE

Mr. WILLARD filed the following reasons for his vote on House Bill No. 1099.

Mr. Speaker, my reason for voting no on House Bill 1099, Printer's No. 2043 Conference Committee Report is as follows:

The nurses are the greatest in number and lowest in remuneration so I feel compelled to vote against this report.

BILL AND AMENDMENTS LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the bill together with the Senate amendments be laid on the table.

The motion was agreed to.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1512

Mr. McCANN. Mr. Speaker, I call up the report of the Committee on Conference on House Bill No. 1512.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1512, entitled: An Act amending the act of May 17, 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drugs" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law providing for the purchase of samples of drugs for determining their quality strength and purity" changing from annual to biennial registration.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER

DOUGLAS H. ELLIOTT

JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN

ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of May 17 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" changing from annual to biennial registration and fixing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 5 act of May 17 1917 (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" amended May 11 1949 (P. L. 1180) is amended to read

Section 5 Each applicant for examination and registration as a pharmacist shall pay to the State Board of Pharmacy an examination fee of five dollars (\$5.00) In case of failure at a first examination the applicant shall have within two years the privileges of a second and third examination In case of failure in a third examination the applicant shall have the privileges of examination only after satisfactorily completing an additional year of preparation approved by the board If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twenty dollars (\$20.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law provided said fee shall be paid to the said board within thirty days of the time that the said applicant is notified that a satisfactory examination has been passed

The Department of Public Instruction shall provide for regulate and require all persons registered as pharmacists or as assistant pharmacists to register [annually] biennially with the department and shall prescribe the form of

such registrations The department shall require as a condition precedent to such [annual] biennial registration the payment of [such] a [annual] biennial registration fee [as shall be fixed according to law] which shall be five dollars (\$5.00) for persons registering as pharmacists and four dollars (\$4.00) for persons registering as assistant pharmacists The department may suspend or revoke the registration of such persons as fail refuse or neglect to register [annually] biennially or pay such fee

Section 2 This act shall take effect in thirty days

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, under the present law, the license fee is two dollars per year. This bill makes it two dollars fifty cents per year, five dollars per biennium. Assistant pharmacists pay two dollars a year. The present Conference Committee Report makes it two dollars per year, four dollars per biennium. The total amount of increase, then, would be fifty cents on the pharmacists' licenses. I request that the House do adopt the Conference Committee Report on House Bill 1512.

Mr. BELL. Is it the Chair's understanding that you will count as affirmative only those of the 152 who were present at the last full roll call?

The SPEAKER pro tempore. 158.

Mr. BELL. There were 152 on the last full roll call, were there not?

The SPEAKER pro tempore. The Chair has not kept track of that.

Mr. BELL. I have on my calendar 61 "Aye," and 91 "Nay".

The SPEAKER pro tempore. The Clerk has been using a roll call of 158 as the basic roll call.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—120

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Frank, | Markley, | Schaaf, |
| Arlene, | Frascella, | Meholchick, | Schuster, |
| Balthaser, | Gallagher, | Mihm, | Seltzer, |
| Bonner, | Garlock, | Mills, | Sherman, |
| Boris, | Gelfand, | Munley, | Shupnik, |
| Bower, | Goldstein, M. H., | Murphy, P. J., | Snider, |
| Bowman, | Gramlich, | Murray, H. P., | Snare, |
| Breth, | Hamilton, | Murray, J. J., | Stank, |
| Burns, | Hocker, | Musto, | Stewart, |
| Capano, | Holt, | Naugle, | Stoner, |
| Cianfrani, | Jenkins, | Needham, | Sullivan, |
| Cioffi, | Jim, | Nelson, | Taylor, |
| Clarke, | Johnson, A. W., | O'Donnell, J. A., | Thompson, |
| Comer, | Jones, F. R., | O'Neil, | Tompkins, |
| Crossin, | Jump, | Parlante, | Varallo, |
| Curwood, | Kamyk, | Pashley, | Verona, |
| Davis, | Korns, | Perry, H. H., | Wall, |
| Dengler, | Kovolenko, | Petrosky, | Walsh, |
| Dennison, | Lamb, | Polaski, | Wargo, |
| Devlin, | Lee, A. M., | Polen, | Weidner, |
| Dougherty, | Leonard, | Prendergast, | Welsh, |
| Down, | Light, | Price, | Willard, |
| Ellberg, | Lopresti, | Pursley, | Willaredt, |
| Eshleman, | Lulgard, | Reibman, | Wood, |
| Ewing, | Lutty, | Renwick, | Wynd, |
| Farabaugh, | McCann, | Rigby, | Yatron, |
| Filo, | McInroy, | Riley, | Yetter, |
| Fineman, | McLaughlin, | Rovansek, | Zimmerman, |
| Floyd, | Machmer, | Sakulsky, | Andrews, |
| Flynn, | Mahan, | Scarcelli, | Speaker |
| Foerster, | | | |

NAYS—38

Agnew,
Barton,
Bell,
Buchanan,
Donahue,
Edwards,
Eshback,
Fetterolf,
Fulmer,
George,

Goodrich,
Holliday,
Horst,
Isaacs,
Johnson, R.,
Kee,
Keiser,
Kernaghan,
Kessler,
Knecht,

Kooker,
Kubitsky,
Lee, K. B.,
Lippincott,
McCandless,
Magee,
Maxwell,
Merry,
Miller, B. Z.,

Miller, H. G.,
Odorisio,
Ogilvie,
Steckel,
Strausser,
Wescott,
Williams, A. D., Jr.,
Williams, E. S.,
Worley,

NOT VOTING—51

Ashton,
Auker,
Blair,
Boles,
Branca,
Brenninger,
Brown,
Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Gailey,

Gibb,
Goldstein, J. H.,
Guthrie,
Heavey,
Heffner,
Helm,
Henzel,
Irvis,
Jones, T. H. W.,
Kornick,
Limper,
McCormack,
McDonald,

McKeever,
Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murray, P. G.,
O'Dell,
O'Donnell, J. P.,
Perry, P. E.,
Reidenbach,
Royer,
Rudisill,

Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Trusio,
Ujobal,
Varner,
Wheeler,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 1513

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1513.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1513, entitled: An Act amending the act of May 1 1929 (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" changing from annual to biennial registration and increasing certain fees

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of May 1 1929 (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" changing from annual to biennial registration and increasing certain fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (1) and (3) of section 8 and subsections (a) and (b) of section 9 act of May 1 1929 (P. L. 1216) known as the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" amended July 9 1957 (P. L. 608) are amended to read

Section 8 The fees to be charged by and paid to the department by licensees for all licenses and renewals thereof issued shall be as follows

(1) A fee of ten dollars (\$10.00) shall accompany an

application for examination for real estate broker's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided That if the applicant fails to pass the examination he may be eligible to take the next examination and each succeeding examination for an additional fee of ten dollars (\$10.00) Provided That there shall be an additional license fee of [ten dollars (\$10.00) annually] twenty dollars (\$20.00) biennially for each additional office or place of business.

* * *

(3) It shall be the duty of all persons licensed to practice as a real estate broker or real estate salesman to register [annually] biennially with the department and pay for each [annual] biennial registration as a real estate broker the sum of [five dollars (\$5.00)] ten dollars (\$10.00) and pay for each such [annual] biennial registration as a real estate salesman the sum of [two dollars and one-half (\$2.50)] five dollars (\$5.00) Said applications for renewal of real estate broker's or salesman's license shall be made to the department [annually] biennially on or before March first of the next succeeding [year] biennium

A fee of two dollars and fifty cents (\$2.50) shall accompany applications for the reissue of lost or mislaid licenses certificates or renewal cards

A fee of two dollars and fifty cents (\$2.50) shall accompany applications for certification of licenses of Pennsylvania brokers applying for licenses in other states

* * *

Section 9 (a) Every person copartnership association or corporation licensed as a real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall be a room or rooms used exclusively for the transaction of real estate business or such business and any allied business and which shall serve as his their or its office for the transaction of business under the authority of the said license and where the certificate of registration and the current [annual] biennial renewal card shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated in the license unless notice in writing shall be given within ten days to the department of any change of business location designating the new location of such office whereupon the department shall forthwith issue a new license for the new location for the unexpired period for a fee of two dollars and fifty cents (\$2.50) The change of the specified business location without notification to the department shall automatically cancel the license theretofore issued Every real estate broker shall display on the outside of his place of business a sign containing the words real estate or realtor where such latter title is duly authorized The commission shall adopt reasonable rules and regulations for the conduct of such places of business

(b) All real estate brokers shall also prominently display in their place or places of business the certificate of registration and the current [annual] biennial renewal card of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesmen by name Prompt notice in writing within ten (10) days shall be given to the department by the real estate salesmen of any change of employer and of the name of the new employer into whose service such salesman is about to enter or has entered and a new license shall thereupon be issued for a fee of two dollars and fifty cents (\$2.50) by the department to such salesmen for the unexpired term of the original license Provided That such new employer shall be licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the department as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the department promptly of any such change of employer or employment

* * *

Section 2 This act shall take effect in thirty days

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. There are no changes in this particular bill. The real estate broker's license is now five dollars. This makes it ten dollars per biennium. The real estate salesmen pay two dollars and fifty cents now. This bill makes it two dollars and fifty cents, five dollars a biennium. A branch office license is ten dollars a year, twenty dollars per biennium, no change. This Conference Committee Report just makes it biennial a registration. This, of course, is one of the bills that would be, a great money saver. Of these bills are all money savers in providing for biennial registration.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—151

| | | | |
|------------|-------------------|-------------------|----------------------|
| Anderson, | Gallagher, | McCann, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Balthaser, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Meholchick, | Snare, |
| Breth, | Hocker, | Merry, | Snider, |
| Burns, | Holt, | Mihm, | Stank, |
| Capano, | Horst, | Miller, B. Z., | Steckel, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stewart, |
| Cioffi, | Jenkins, | Mills, | Stoner, |
| Clarke, | Jim, | Munley, | Strausser, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Sullivan, |
| Crossin, | Jones, F. R., | Murray, H. P., | Taylor, |
| Curwood, | Jump, | Murray, J. J., | Thompson, |
| Davis, | Kamyk, | Musto, | Tompkins, |
| Dengler, | Kee, | Naugle, | Varallo, |
| Dennison, | Keiser, | Needham, | Verona, |
| Devlin, | Kernaghan, | Nelson, | Wall, |
| Donahue, | Kessler, | O'Donnell, J. A., | Walsh, |
| Dougherty, | Knecht, | Ogilvie, | Wargo, |
| Down, | Kooker, | O'Neill, | Weldner, |
| Edwards, | Korns, | Parlante, | Welsh, |
| Ellberg, | Kovolenko, | Pashley, | Wescott, |
| Eshback, | Kubitsky, | Perry, H. H., | Williams, A.D., Jr., |
| Eshleman, | Lamb, | Petrosky, | Williams, E. S., |
| Ewing, | Lee, A. M., | Polaski, | Willard, |
| Farabaugh, | Lee, K. B., | Polen, | Willaredt, |
| Fetterolf, | Leonard, | Prendergast, | Wood, |
| Filo, | Light, | Price, | Worley, |
| Fineman, | Limper, | Pursley, | Wynd, |
| Floyd, | Lippincott, | Reibman, | Yatron, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Foerster, | Luigard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCandless, | Rovanssek, | Speaker |

NAYS—8

| | | | |
|---------|-----------|--------------|-----------|
| Agnew, | Buchanan, | Holliday, | Maxwell, |
| Barton, | Fulmer, | Johnson, R., | Odorisio, |

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Botes, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P. | Ujober, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnier, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1514

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1514.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1514, entitled: An Act amending the act of April 27 1945 (P. L. 321) entitled "An act relating to the practice of veterinary medicine defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Board Veterinary Medical Examiners and the Department of Public Instruction providing penalties and repealing existing laws" changing from annual to biennial registrations.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER

DOUGLAS H. ELLIOTT

JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN

ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of April 27 1945 (P. L. 321) entitled "An act relating to the practice of veterinary medicine defining such practice and providing for the licensing and registration of persons engaged therein and for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Board Veterinary Medical Examiners and the Department of Public Instruction providing penalties and repealing existing laws" changing from annual to biennial registrations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 act of April 27 1945 (P. L. 321) known as "The Veterinary Law" is amended to read

Section 6 Fees The fee for an applicant for examination and licensure to practice veterinary medicine in this Commonwealth shall be fixed by the Department of Public Instruction in accordance with existing law It shall be the duty of all persons now qualified and engaged in the practice of veterinary medicine or who shall hereafter be licensed by the board to register [annually] biennially with said board and pay for each such [annual] biennial registration [such fee as may be fixed by the Department of Public Instruction] a fee of ten dollars (\$10.00).

Section 2 This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Veterinarians now pay \$5; this bill is the same, \$5 per year, \$10 a biennium.

Mr. AGNEW. Mr. Speaker, there has been so much confusion on these roll call votes, I just want to say for the record that the reason I voted against all these bills,

whether they increased the license fee or not, is because of the system.

I see no reason why, for instance, the nurses should pay a license fee to put barber investigators on the payroll of the Barber Board. It does not make sense to me.

Some of us are not objecting to the money. I do not think anybody is. I think we are objecting to the system. I just want to say that for the record.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—153

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Anderson, | Gallagher, | McCann, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Balthaser, | Gelfand, | McLaughlin, | Schaaf, |
| Barton, | George, | Machmer, | Schuster, |
| Bell, | Goldstein, M. H., | Magee, | Seltzer, |
| Bonner, | Goodrich, | Mahan, | Sherman, |
| Boris, | Gramlich, | Markley, | Shupnik, |
| Bower, | Hamilton, | Meholchick, | Snare, |
| Bowman, | Hocker, | Merry, | Snider, |
| Breth, | Holliday, | Mihm, | Stank, |
| Burns, | Holt, | Miller, B. Z., | Steckel, |
| Capano, | Horst, | Miller, H. G., | Stewart, |
| Cianfrani, | Isaacs, | Mills, | Stoner, |
| Cloffi, | Jenkins, | Munley, | Strausser, |
| Clarke, | Jim, | Murphy, P. J., | Sullivan, |
| Comer, | Johnson, A. W., | Murray, H. P., | Taylor, |
| Crossin, | Jones, F. R., | Murray, J. J., | Thompson, |
| Curwood, | Jump, | Musto, | Tompkins, |
| Davis, | Kamyk, | Naugle, | Varallo, |
| Dengler, | Kee, | Needham, | Verona, |
| Dennison, | Keiser, | Nelson, | Wall, |
| Devlin, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Donahue, | Kessler, | O'Neil, | Wargo, |
| Dougherty, | Knecht, | Ogilvie, | Weidner, |
| Down, | Kooker, | Parlante, | Weish, |
| Edwards, | Korna, | Pashley, | Wescott, |
| Ellberg, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Eshback, | Kubitsky, | Petrosky, | Williams, E. S., |
| Eshleman, | Lamb, | Polaski, | Willard, |
| Ewing, | Lee, A. M., | Polen, | Willaredt, |
| Farabaugh, | Lee, K. B., | Prendergast, | Wood, |
| Fetterolf, | Leonard, | Price, | Worley, |
| Filo, | Light, | Pursley, | Wynd, |
| Fineman, | Limper, | Reibman, | Yatron, |
| Floyd, | Lippincott, | Renwick, | Yetter, |
| Flynn, | Lopresti, | Rigby, | Zimmerman, |
| Foerster, | Luigard, | Riley, | Andrews, |
| Frank, | Lutty, | Rovansek, | Speaker |
| Frascella, | McCandless, | | |

NAYS—6

| | | | |
|-----------|--------------|----------|-----------|
| Agnew, | Fulmer, | Maxwell, | Odorisio, |
| Buchanan, | Johnson, R., | | |

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P. | Ujobai, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varner, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1515

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1515.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1515, entitled: An Act amending the act of June 3, 1911 (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and method whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" changing from annual to biennial registration and increasing the registration fee.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of June 3, 1911 (P. L. 639) entitled as amended "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" changing from annual to biennial registration and increasing the registration fee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section 7 act of June 3, 1911 (P. L. 639) known as the "Medical Practice Act" amended August 6, 1941 (P. L. 903) is amended to read

Section 7 License Certificates Exemptions Nonresident Practitioners Graduate Students Annual Registration Automatic Suspension in Case of Mental Incompetency Unlawful Practice

(c) And it shall be the duty of all persons now qualified and engaged in the practice of medicine and surgery or any branch or branches thereof provided for in this act or who shall hereafter be licensed by the Department of Public Instruction for the board to engage in such practice in the Commonwealth of Pennsylvania to be registered with the said board as practitioners on or before the first day of January one thousand nine hundred and twenty-six and thereafter to register in like manner [annually] biennially on or before the first day of January of each succeeding [year] biennium The form and method of such registration shall be provided for by the said board in such manner as will enable the board to carry into effect the purposes of this act

Each person so registering with the board shall pay for each [annual] biennial registration and for the certificate hereinafter provided for a fee [of one dollar or such other

sum as may be fixed by the Department of Public Instruction under authority of law] which shall be ten dollars (\$10.00) for all persons engaged in the practice of medicine and surgery except those engaged in the practice of drugless therapy or physical therapy in which case such fee shall be five dollars (\$5.00) which fee shall accompany the application for such registration. The money thus received shall be paid into the State Treasury for the use of the Commonwealth.

Upon receiving a proper application for such registration accompanied by the fee above provided for the Department of Public Instruction acting for said board shall issue its certificate of registration to the applicant. Said certificate together with its renewals shall be good and sufficient evidence of registration under the provisions of this act. And the Department of Public Instruction shall be required to publish biennially a list of the persons so registered.

* * *
Section 2 This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, doctors now pay one dollar; this bill would make it five dollars, ten dollars a biennium. Physical therapists pay one dollar; this bill would make it two and a half dollars a year, five dollars a biennium. Drugless therapists pay one dollar a year now; this bill would make it two dollars and a half a year, five dollars a biennium.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

| | | | |
|------------|-------------------|-------------------|------------------|
| Anderson, | Frascella, | Magee, | Schuster, |
| Arlene, | Gallagher, | Markley, | Seltzer, |
| Balthaser, | Garlock, | Meholchick, | Sherman, |
| Barton, | Gelfand, | Merry, | Shupnik, |
| Bonner, | George, | Mihm, | Snare, |
| Bower, | Goldstein, M. H., | Mills, | Snider, |
| Boris, | Goodrich, | Munley, | Stank, |
| Breth, | Gramlich, | Murphy, P. J., | Steckel, |
| Burns, | Hamilton, | Murray, H. P., | Stewart, |
| Capano, | Hocker, | Murray, J. J., | Stoner, |
| Cianfrani, | Holt, | Musto, | Sullivan, |
| Cioffi, | Jenkins, | Naugle, | Taylor, |
| Clarke, | Jim, | Needham, | Thompson, |
| Comer, | Jones, F. R., | Nelson, | Tompkins, |
| Crossin, | Jump, | O'Donnell, J. A., | Varallo, |
| Curwood, | Kamyk, | O'Neil, | Verona, |
| Davis, | Kee, | Parlante, | Wall, |
| Dengler, | Knecht, | Pashley, | Walsh, |
| Dennison, | Korns, | Perry, H. H., | Wargo, |
| Devlin, | Kovolenko, | Petrosky, | Weidner, |
| Donahue, | Lamb, | Polaski, | Welsh, |
| Dougherty, | Lee, A. M., | Polen, | Wescott, |
| Down, | Lee, K. B., | Prendergast, | Williams, E. S., |
| Ellberg, | Leonard, | Price, | Willard, |
| Eshleman, | Light, | Pursley, | Willaredt, |
| Ewing, | Limper, | Reibman, | Wood, |
| Farabaugh, | Lopresti, | Renwick, | Wynd, |
| Filo, | Luigard, | Rigby, | Yatron, |
| Fineman, | Lutty, | Riley, | Yetter, |
| Floyd, | McCann, | Rovansek, | Zimmerman, |
| Flynn, | McInroy, | Sakulsky, | Andrews, |
| Foerster, | McLaughlin, | Scarcelli, | Speaker |
| Frank, | Machmer, | Schaaf, | |

NAYS—29

| | | | |
|------------|-----------------|-------------|---------------------|
| Agnew, | Holliday, | Kessler, | Miller, B. Z., |
| Bell, | Horst, | Kooker, | Miller, H. G., |
| Bowman, | Isaacs, | Kubitsky, | Odoriso, |
| Buchanan, | Johnson, A. W., | Lippincott, | Ogilvie, |
| Edwards, | Johnson, R., | McCandless, | Strausser, |
| Eshback, | Keiser, | Mahan, | Williams, A.D., Jr. |
| Fetterolf, | Kernaghan, | Maxwell, | Worley, |
| Fulmer, | | | |

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A.J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irvls, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnar, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1516

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1516.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1516, entitled: An Act amending the act of August 10, 1951 (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" changing from annual to biennial registration.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "An act relating to and defining chiropractic and the right to practice chiropractic requiring licensure conferring powers and imposing duties upon the State Board of Chiropractic Examiners and the Department of Public Instruction providing for the granting suspension and revocation of licenses issued by the board preserving the rights of existing licensees and giving them certain personal choice as to jurisdiction conferring jurisdiction upon the court of common pleas of Dauphin County and prescribing penalties" changing from annual to biennial registration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 9 act of August 10, 1951 (P. L. 1182) known as the "Chiropractic Registration Act of 1951" is amended to read

Section 9 Fees The board shall charge the following fees for examination registration and renewal of certificates the sum of twenty-five dollars (\$25.00) for a standard examination and ten dollars (\$10.00) for a limited examination. It shall be the duty of all persons licensed under

the provisions of this act by the board to register [annually] biennially with the board and pay for each such [annual] biennial registration [such fee as may be fixed by the department] a fee of ten dollars (\$10.00 All fees paid to the board shall be paid to the General Fund of the State Treasury

Section 2 This act shall take effect in thirty days.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, the present license fee is five dollars; the proposal in this Conference Committee report is five dollars, ten dollars per biennium.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—150

| | | | |
|------------|-------------------|-------------------|----------------------|
| Anderson, | Frascella, | McCann, | Scarcelli, |
| Arlene, | Gallagher, | McInroy, | Schaaf, |
| Balthaser, | Garlock, | McLaughlin, | Schuster, |
| Barton, | Gelfand, | Machmer, | Seltzer, |
| Bell, | George, | Magee, | Sherman, |
| Bonner, | Goldstein, M. H., | Markley, | Shupnik, |
| Boris, | Goodrich, | Meholchick, | Snare, |
| Bower, | Gramlich, | Merry, | Snider, |
| Bowman, | Hamilton, | Mihm, | Stank, |
| Breth, | Hocker, | Miller, B. Z., | Steckel, |
| Burns, | Holt, | Miller, H. G., | Stewart, |
| Capano, | Horst, | Mills, | Stoner, |
| Cianfrani, | Isaacs, | Munley, | Strausser, |
| Cioffi, | Jenkins, | Murphy, P. J., | Sullivan, |
| Clarke, | Jim, | Murray, H. P., | Taylor, |
| Comer, | Johnson, A. W., | Murray, J. J., | Thompson, |
| Crossin, | Jones, F. R., | Musto, | Tompkins, |
| Curwood, | Jump, | Naugle, | Varallo, |
| Davis, | Kamyk, | Needham, | Verona, |
| Dengler, | Kee, | Nelson, | Wall, |
| Dennison, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Devlin, | Kessler, | Ogilvie, | Wargo, |
| Donahue, | Knecht, | O'Neil, | Weidner, |
| Dougherty, | Kooker, | Parlante, | Welsh, |
| Down, | Korns, | Pashley, | Wescott, |
| Edwards, | Kovolenko, | Perry, H. H., | Williams, A.D., Jr., |
| Ellberg, | Kubitsky, | Petrosky, | Williams, E. S., |
| Eshback, | Lamb, | Polaski, | Willard, |
| Eshleman, | Lee, A. M., | Polen, | Willaredt, |
| Ewing, | Lee, K. B., | Prendergast, | Wood, |
| Farabaugh, | Leonard, | Price, | Worley, |
| Fetterolf, | Light, | Pursley, | Wynd, |
| Filo, | Limper, | Reibman, | Yatron, |
| Fineman, | Lippincott, | Renwick, | Yetter, |
| Floyd, | Lopresti, | Rigby, | Zimmerman, |
| Flynn, | Luigard, | Riley, | |
| Foerster, | Lutty, | Rovanssek, | |
| Frank, | McCandless, | Sakulsky, | Andrews, |
| | | | Speaker |

NAYS—9

| | | | |
|-----------|--------------|---------|-----------|
| Agnew, | Holliday, | Keiser, | Maxwell, |
| Buchanan, | Johnson, R., | Mahan, | Odorisio, |
| Fulmer, | | | |

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Iris, | O'Donnell, J. P. | Ujober, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnier, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the

affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1614.

An Act Authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

With the information that the Senate had passed the same with amendments, in which concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, by inserting after line 10 the following: "(a) St. Johns and St. Mary's Homes, Altoona Catholic Diocese at Cresson, Cambria County, containing approximately one hundred thirty (130) acres."

Line 15, by striking out at the beginning of the line the letter "(a)" and inserting in lieu thereof the letter "(b)"; by inserting after line 16 the following: "(c) Tressler Lutheran's Home, Loysville, Tyrone Township, Perry County, containing approximately one hundred (100) acres".

"(d) Sunbury Odd Fellows Home, Pennsylvania Odd Fellows, Sunbury, Northumberland County, containing approximately two hundred eighty-seven (287) acres."

"(e) Locust Gap High School, Locust Gap, Mt. Carmel Township, Northumberland County, containing approximately four (4) acres."

"(f) Luzerne County Industrial School, Kis-Lyn, Luzerne County, containing approximately six hundred fifteen (615) acres."

"(g) Presbyterian Children's Village, Presbyterian Orphanage, Philadelphia, containing approximately six (6) acres."

"(h) Youth Rehabilitation Center, Front and Luzerne Streets, Philadelphia, containing approximately twenty (20) acres."

Page 3, line 19, by striking out at the beginning of the line the letter "(b)" and inserting in lieu thereof the letter "(i)"; page 4, line 2, by inserting after the word "as" the following: "youth development center at Cresson"; line 3, by inserting after the word "Waynesburg" the following: "Youth Development Center at Loysville Youth Development Center at Sunbury Youth Development Center at Locust Gap Youth Development Center at Kis-Lyn Youth Development Center at West Philadelphia Youth Development Center at North Philadelphia."

Section 7, page 7, line 8, by striking out after the word "of" the following: "five hundred thousand dollars \$500,000 five hundred forty-one thousand five hundred twenty-five dollars (\$541,525) and inserting in lieu thereof the following: "five hundred thousand dollars (\$500,000)"; line 13, by striking out after the word "price" the words "or the leasing"; line 15, by striking out after the word "acquired" the words "or leased"; and by inserting after the word "act" the following: "for the Greene County Childrens Home, Waynesburg, Green County and for the payment for the leasing of the land improvement and personal property and expenses incidental thereto that may

be leased for the youth development center at New Cumberland."

Section 8, page 8, line 3, by striking out after the word "of" the following: "one million one hundred thousand dollars (\$1,100,000) one hundred eighty-four thousand four hundred seventy-five dollars (\$184,475) and inserting in lieu thereof the following: "one million one hundred thousand dollars (\$1,100,000)"; page 8, line 9, by inserting after the word "centers" the words "at Waynesburg and New Cumberland."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request permission to turn to page 6, Bills on Concurrence in Senate Amendments. There is one bill in which if we concur, the bill is to be signed and moved in the package to the Governor, since it has money in the bill or appropriates money.

Mr. TOMPKINS. Mr. Speaker, we wish to concur in the request to concur in this bill.

Mr. McCANN. Thank you very kindly, sir.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—145

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frank, | Lutty, | Sakulsky, |
| Anderson, | Frascella, | McCann, | Scarcelli, |
| Arlene, | Fulmer, | McInroy, | Schaaf, |
| Balthaser, | Gallagher, | McLaughlin, | Schuster, |
| Barton, | Garlock, | Machmer, | Sherman, |
| Bell, | Gelfand, | Magee, | Shupnik, |
| Bonner, | George, | Mahan, | Snare, |
| Boris, | Goldstein, M. H., | Markley, | Snider, |
| Breth, | Goodrich, | Maxwell, | Stank, |
| Buchanan, | Gramlich, | Meholchick, | Steckel, |
| Burns, | Hamilton, | Merry, | Stewart, |
| Capano, | Holliday, | Mihm, | Stoner, |
| Cianfrani, | Holt, | Miller, B. Z., | Strausser, |
| Cioffi, | Jenkins, | Miller, H. G., | Sullivan, |
| Clarke, | Jim, | Mills, | Taylor, |
| Comer, | Johnson, A. W., | Munley, | Thompson, |
| Crossin, | Johnson, R., | Murphy, P. J., | Tompkins, |
| Curwood, | Jones, F. R., | Murray, J. J., | Varallo, |
| Davis, | Jump, | Musto, | Verona, |
| Dengler, | Kamyk, | Naugle, | Wall, |
| Dennison, | Kee, | Needham, | Walsh, |
| Devlin, | Kernaghan, | Nelson, | Wargo, |
| Donahue, | Kessler, | O'Donnell, J. A., | Welsh, |
| Dougherty, | Knecht, | Odorisio, | Wescott, |
| Down, | Kooker, | O'Neil, | Williams, A. D., Jr., |
| Edwards, | Korns, | Parlante, | Williams, E. S., |
| Eilberg, | Kovolenko, | Pashley, | Willard, |
| Eshback, | Kubitsky, | Perry, H. H., | Willaredt, |
| Eshleman, | Lamb, | Petrosky, | Worley, |
| Ewing, | Lee, A. M., | Polaski, | Wynd, |
| Farabaugh, | Lee, K. B., | Polen, | Yatron, |
| Fetterolf, | Leonard, | Prendergast, | Yetter, |
| Filo, | Light, | Reibman, | Zimmerman, |
| Fineman, | Limper, | Renwick, | |
| Floyd, | Lippincott, | Rigby, | Andrews, |
| Flynn, | Lopresti, | Riley, | Speaker |
| Foerster, | Luigard, | Rovansek, | |

NAYS—14

| | | | |
|---------|----------------|----------|----------|
| Bower, | Isaacs, | Ogilvie, | Seltzer, |
| Bowman, | Kelser, | Price, | Weidner, |
| Hocker, | McCandless, | Pursley, | Wood, |
| Horst, | Murray, H. P., | | |

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Truslo, |
| Capitolo, | Irviss, | O'Donnell, J. P. | Ujobai, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnar, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

INTERROGATION

Mr. A. W. JOHNSON asked and obtained unanimous consent to interrogate Mr. Comer.

Mr. A. W. JOHNSON. Mr. Speaker, many Members have been coming down to my desk here today and wanting to know the answer to the following questions:

The first question I want to ask the gentleman is, when was the last meeting of the Highway Committee?

Mr. COMER. The House Committee?

Mr. A. W. JOHNSON. The House Highway Committee.

Mr. COMER. I would say about a month ago.

Mr. A. W. JOHNSON. About a month ago?

Mr. COMER. That is right.

Mr. A. W. JOHNSON. Have you had a meeting this week?

Mr. COMER. No.

Mr. A. W. JOHNSON. The answer is obvious, you have not. Do you contemplate a meeting yet this afternoon?

Mr. COMER. No. I would say, no.

Mr. A. W. JOHNSON. At this moment?

Mr. COMER. That is right.

Mr. A. W. JOHNSON. The reason for the interrogation is that languishing in your Committee are House Bills 2117, 2118 and 2119, being the Highway Omnibus Bills for rural Pennsylvania, for the boroughs and for the cities. Without divulging any secrets of your Committee, I believe you can answer this: has your committee at anytime considered these bills?

Mr. COMER. I would rather not answer that, Mr. Speaker.

Mr. A. W. JOHNSON. Is the answer not no, Mr. Speaker?

Mr. COMER. I would say it is out of order.

Mr. A. W. JOHNSON. Would you answer this question: Have the three Highway Omnibus Bills been reported out of your committee?

Mr. COMER. No, they have not.

Mr. A. W. JOHNSON. When do you contemplate calling a committee meeting of the Highways Committee?

Mr. COMER. It could be the next week we are back in session.

Mr. A. W. JOHNSON. You do not know what day it would be?

Mr. COMER. I do not.

Mr. A. W. JOHNSON. Is there any reason why you could not call a committee meeting today to consider those bills?

Mr. COMER. Yes, there are different reasons.

Mr. A. W. JOHNSON. What are the reasons? Would you want to state them for the record?

Mr. COMER. One reason, it is a little late today, the time element.

PARLIAMENTARY INQUIRY

Mr. GELFAND. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. Is it proper interrogation to interrogate the Chairman of the Committee on the conduct of the

committee or pertaining to bills which the committee has not considered?

The SPEAKER pro tempore. Within limitations, the interrogation would be proper.

Mr. GELFAND. Is this proper interrogation?

The SPEAKER pro tempore. The Chair has so ruled.

Mr. A. W. JOHNSON. Mr. Speaker, I will ask this question and then ask the Chair to rule on its propriety.

When the Omnibus Bills for Allegheny County and for Philadelphia County came out of committee, did you consider the other three bills? Did your committee consider them?

The SPEAKER pro tempore. The Chair would rule that is not a proper question. When the questions relate to action of the committee, the questions would be out of order.

Mr. A. W. JOHNSON. I thank the gentleman. Thank you very much, Mr. Comer.

Mr. A. W. JOHNSON. This afternoon I was up marking the calendar when the gentleman from Lehigh, Mr. Frank, read a statement about adjournment of this House, and I did not get a chance to reply at that time and I intended to.

However, among his remarks he said the following: "It is about time that the public should know that we, the House, are in favor of adjournment but the other House is playing checkers."

Members of this House, we have been hearing a lot about final adjournment of this Session of the General Assembly. There is a strong innuendo that it is being held up by the Pennsylvania State Senate. Everybody in this House knows that you are not going to get out of here until you pass these Omnibus Bills. Why? Because in practically every county in Pennsylvania a good many boroughs and a good many cities there are roads that either have to be put on the state system, taken off the local system, or taken from the state system and put on the local system.

Personally, I do not have any road going in or out of any of these bills, but it affects every Member of this House. I want to say this, and I am not divulging any secrets of this committee because I am not on it, somebody is playing footsie with the Highway Committee in this House and when you get up here and say that the other House is holding up adjournment of this Session of the General Assembly, here is a glaring instance of a deliberate holdup of this Session until something else happens in the other House.

I am saying for the record, the other House absolutely has not been holding up this Session of the General Assembly when you consider just these three little items that are languishing in our House Committee today. If the gentleman from Philadelphia were to call a committee meeting today and release these bills to the floor, it might be pretty emblematic of the good faith of somebody that they did intend to adjourn this Session of the General Assembly.

I do not know what is taking place, what is in the wind, whose long arm is reaching into this Committee on Highways in this House. I cannot say. But be that as it may, something is taking place and I think in answer to Mr. Frank, that the other side is playing checkers, I think there is a lot of dawdling going on and somebody is caus-

ing a delay here. I do not believe that you are going to be able to adjourn this House until these three bills are reported out of committee and debated, amended with the various roads put in or taken out, and it is really a very serious matter that you are playing with. You will never adjourn until you really get on the ball on these three bills.

PERMISSION TO ADDRESS HOUSE

Mr. COMER asked and obtained unanimous consent to address the House.

Mr. Speaker, I question the gentleman, Mr. Johnson, in his haste, due to the fact that there has not been an adjournment date set as yet. We still have time.

In regard to the highway bills, I sat down this morning with the Majority Leader of the Senate and the Chairman of the Senate Highway Committee, and talked about different highway bills. The point was brought up of economy. The point was brought out that the Majority Leader and the Chairman of that Committee have problems that they have to take back to their caucus. I, too, am economy minded, and I ought to be guided by what they feel should go on the system and what should be deleted. That is one of the delays.

I have been in conference, off and on, for two or three weeks with the other House, and I must be guided by decisions they make.

PERMISSION TO ADDRESS HOUSE

Mr. DOUGHERTY asked and obtained unanimous consent to address the House.

Mr. Speaker, I accompanied Mr. Comer to the conference with Senator Berger and Senator Wade this morning. They are going to study different phases of this highway program while we are in recess. That is the statement they gave us today. So, you see, it is not the House that is deliberately holding up programs.

Mr. TOMPKINS. Mr. Speaker, I am just wondering if there is not a tremendous amount of relation between the holdup on the omnibus bill in this House for townships and boroughs on account of the position of the omnibus bills for Philadelphia and Pittsburgh which are now over in the Senate.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1881

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1881.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1881, entitled: An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "An act relating to consumer credit requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" further regulating the granting of licenses and providing for appeals

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
DAVID M. BOIES
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act of the General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section 12 act of April 8, 1937 (P. L. 262) known as the "Consumer Discount Company Act" amended June 20, 1947 (P. L. 665) is amended to read

Section 12 Authority of the Secretary of Banking The Secretary of Banking shall have the power to reject any application for license if he is satisfied that the financial responsibility experience character and general fitness of the person or persons shown on the application for license as officers and directors of the applicant corporation are not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly fairly and within the intent and purpose of this act and in accordance with the general laws of this Commonwealth Provided however That no license may be issued if any director officer employe or agent of the applicant corporation has been convicted under this act for engaging in business contemplated by this act without having obtained a license under this act or if any director officer employe or agent of the applicant corporation was a director officer employe or agent of a corporation which had been convicted of a second offense violation of this act and had its license revoked Whenever the Secretary of Banking rejects an application for a license he shall furnish the applicant with a written specification of the reason or reasons therefor Any corporation whose application for a license is rejected by the Secretary of Banking may within thirty (30) days of notice thereof appeal from such action to the Court of Common Pleas of Dauphin County The failure of the Secretary of Banking to act upon an application within three (3) months of receipt thereof shall be deemed to be an approval of such application

* * *

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovanssek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |

Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Frank,

Kessler,
Knecht,
Kooker,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lippincott,
Lopresti,
Luigard,

Odorisio,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,

Weldner,
Welsh,
Wescott,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willardt,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—50

Ashton,
Auker,
Blair,
Boles,
Branca,
Brenninger,
Brown,
Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Gailey,

Gibb,
Goldstein, J. H.,
Guthrie,
Heavey,
Heffner,
Helm,
Henzel,
Iris,
Jones, T. H. W.,
Kornick,
McCormack,
McDonald,
McKeever,

Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.
Murray, P. G.,
O'Dell,
O'Donnell, J. P.
Perry, P. E.,
Reldenbach,
Royer,
Rudisill,

Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Trusio,
Ujohal,
Varnar,
Wheeler,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 864

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 864.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 864, entitled: An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

Respectfully submit the following bill as our report:

PAUL L. WAGNER
THOMAS A. EHRGOOD
HARRY E. SEYLER

(Committee on the part of the Senate.)

NICHOLAS KORNICK
JOHN R. GAILEY, JR.
EDWIN D. ESHLEMAN

(Committee on the part of the House of Representatives.)

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 925 act of March 10, 1949 (P. L. 30)

known as the "Public School Code of 1949" amended March 29, 1956 (1955-56 P. L. 1356) is amended by adding at the end thereof a new subsection to read

Section 925 Powers and Duties

* * *

(c) When a school district considers itself aggrieved by the decision of a county board of school directors disapproving or refusing to amend a county-wide plan for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units an appeal by petition setting for the grounds for such appeal may be taken by such school district to the State Council of Education at Harrisburg Such appeal shall be filed within thirty (30) days after receipt of a written notice of the decision of the county board A copy of such appeal shall be served by registered mail on the secretary of the county board

The State Council of Education or its representative shall fix a day and time for hearing shall give written notice to all parties interested and may hear and consider such testimony as it may deem advisable to enable it to make a proper order

After hearing and argument and reviewing all the testimony filed or taken before it the State Council of Education or its representative shall enter such order as appears just and proper approving or disapproving the decision of the county board ordering an amendment to the county-wide plan or in lieu of ordering an amendment to the county-wide plan and in a proper case certifying to the Department of Public Instruction that the school district may be approved for supplemental payments under section 2502.1 of this act which such district would receive if the county-wide plan were amended

Section 2 This act shall take effect immediately

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|---------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cloffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugie, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Elberg, | Korns, | Parlante, | Williams, A.D. Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Fillo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | Andrews, |
| Frank, | Luigard, | Rigby, | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavy, | Mullen, | Stimmel, |
| Branca, | Hefner, | Murphy, A. J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irvia, | O'Donnell, J. F., | Ujosal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnar, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1997.

An Act amending the act of June 21, 1939 (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" including certain diseases of fire-fighters within the meaning of the term occupational disease.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by striking out after the word "public" the word "involving" and inserting in lieu thereof the words "caused by"; page 3, line 2 by inserting lines 2 and 3, as follows: "arising directly out of the employment of any such firemen."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|------------|-------------|------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |

| | | | |
|------------|-------------------|-------------------|----------------------|
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Keiser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neil, | Wescott, |
| Elberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | |
| Frank, | Luigard, | Rigby, | |

Andrews,
Speaker

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irvie, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varner, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2292.

An Act requiring authorizing the marking of highways and intersections in the State highway system and imposing duties conferring powers on the Department of Highways.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, beginning of the first line by striking out the word "Requiring" and inserting in lieu thereof the word "Authorizing"; line 2, by striking out after the word "and" the words "imposing duties" and inserting in lieu thereof the words "conferring powers"; Section 1, page 1, line 1, by striking out after the word "Highways" the word "shall" and inserting in lieu thereof the word "may."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Luttv. | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcell, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Keiser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | O'Neil, | Weidner, |
| Down, | Knecht, | Odorisio, | Welsh, |
| Edwards, | Kooker, | Ogilvie, | Wescott, |
| Elberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | |
| Frank, | Luigard, | Rigby, | |

Andrews,
Speaker

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irvie, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varner, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Rudisill, | Whittaker, |
| Fox, | McDonald, | Royer, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2420.

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" changing the provisions relating to the effective date of certain laws.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by striking out after the word "of" the word "Septmeber" and inserting in lieu thereof the word "July"; page 3, line 11, by striking out after the word "effect" the words "immediately upon" and inserting in lieu thereof the words "sixty days after."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcell, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Clanfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Nagle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | O'Neil, | Weidner, |
| Down, | Knecht, | Odorisio, | Welsh, |
| Edwards, | Kooker, | Ogilvie, | Wescott, |
| Elberg, | Korns, | Parlante, | Williams, A. D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | Andrews, |
| Frank, | Luigard, | Rigby, | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|--------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Bales, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stone, |
| Brennlinger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnar, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 20, 1959.

Resolved, (the House of Representatives concurring), that when the Senate adjourns this week, it reconvene Monday, November 30, 1959, at three o'clock P.M., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene (Monday, November 30) Tuesday, December 1, 1959, at a time fixed by the House of Representatives, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. McCANN. Mr. Speaker, I move that the resolution be amended to read, "the House of Representatives, Tuesday, December 1, 2:00 P.M., eastern standard time."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the amendments?

It was concurred in.

Ordered, that the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 1614.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 998, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 defining distressed school districts * * * defining the powers and duties of the Superintendent of Public Instruction.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snider, |
| Breth, | Hocker, | Meholchick, | Stank, |
| Buchanan, | Holliday, | Merry, | Steckel, |
| Burns, | Holt, | Mihm, | Stewart, |
| Capano, | Horst, | Miller, B. Z., | Stoner, |
| Cianfrani, | Isaacs, | Miller, H. G., | Strausser, |
| Cioffi, | Jenkins, | Mills, | Sullivan, |
| Clarke, | Jim, | Munley, | Taylor, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Thompson, |
| Crossin, | Johnson, R., | Murray, H. P., | Tompkins, |
| Curwood, | Jones, F. R., | Murray, J. J., | Varallo, |
| Davis, | Jump, | Musto, | Verona, |
| Dengler, | Kamyk, | Naugle, | Wall, |
| Dennison, | Kee, | Needham, | Walsh, |
| Devlin, | Keiser, | Nelson, | Wargo, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Weidner, |
| Dougherty, | Kessler, | O'Neil, | Welsh, |
| Down, | Knecht, | Odorisio, | Wescott, |
| Edwards, | Kooker, | Ogilvie, | Williams, A.D., Jr., |
| Ellberg, | Korns, | Parlante, | Williams, E. S., |
| Eshback, | Kovolenko, | Pashley, | Willard, |
| Eshleman, | Kubitsky, | Perry, H. H., | Willardt, |
| Ewing, | Lamb, | Petrosky, | Wood, |
| Farabaugh, | Lee, A. M., | Polaski, | Worley, |
| Fetterolf, | Lee, K. B., | Polen, | Wynd, |
| Filo, | Leonard, | Prendergast, | Yatron, |
| Fineman, | Light, | Pursley, | Yetter, |
| Floyd, | Limper, | Pursley, | Zimmerman, |
| Flynn, | Lippincott, | Reibman, | |
| Foerster, | Lopresti, | Renwick, | |
| Frank, | Luigard, | Rigby, | |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnar, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | McCandless, | Rovansek, |
| Anderson, | Fulmer, | McCann, | Sakulsky, |
| Arlene, | Gallagher, | McInroy, | Scarcelli, |
| Balthaser, | Gelfand, | McLaughlin, | Schaaf, |
| Barton, | George, | Machmer, | Schuster, |
| Bell, | Goldstein, M. H., | Magee, | Seltzer, |
| Bonner, | Goodrich, | Mahan, | Sherman, |
| Boris, | Gramlich, | Markley, | Shupnik, |
| Bower, | Hamilton, | Maxwell, | Snider, |
| Bowman, | Hocker, | Meholchick, | Stank, |
| Breth, | Holliday, | Merry, | Steckel, |
| Buchanan, | Holt, | Mihm, | Stewart, |
| Burns, | Horst, | Miller, B. Z., | Stoner, |
| Capano, | Isaacs, | Miller, H. G., | Strausser, |
| Cianfrani, | Jenkins, | Mills, | Sullivan, |
| Cioffi, | Jim, | Munley, | Taylor, |
| Clarke, | Johnson, A. W., | Murray, H. P., | Thompson, |
| Comer, | Johnson, R., | Murray, J. J., | Tompkins, |
| Crossin, | Jones, F. R., | Murphy, P. J., | Varallo, |
| Curwood, | Jump, | Musto, | Verona, |
| Davis, | Kamyk, | Naugle, | Wall, |
| Dengler, | Kee, | Needham, | Walsh, |
| Dennison, | Keiser, | Nelson, | Wargo, |
| Devlin, | Kernaghan, | O'Donnell, J. A., | Weidner, |
| Donahue, | Kessler, | O'Neil, | Welsh, |
| Dougherty, | Knecht, | Odorisio, | Wescott, |
| Down, | Kooker, | Ogilvie, | Williams, A.D., Jr., |
| Edwards, | Korns, | Parlante, | Williams, E. S., |
| Ellberg, | Kovolenko, | Pashley, | Willard, |
| Eshback, | Kubitsky, | Perry, H. H., | Willardt, |
| Eshleman, | Lamb, | Petrosky, | Wood, |
| Ewing, | Lee, A. M., | Polaski, | Worley, |
| Farabaugh, | Lee, K. B., | Polen, | Wynd, |
| Fetterolf, | Leonard, | Prendergast, | Yatron, |
| Filo, | Light, | Pursley, | Yetter, |
| Fineman, | Limper, | Pursley, | Zimmerman, |
| Floyd, | Lippincott, | Reibman, | |
| Flynn, | Lopresti, | Renwick, | |
| Foerster, | Luigard, | Rigby, | |
| Frank, | Lutty, | Riley, | |

NAYS—1

Garlock,

NOT VOTING—50

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnar, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 2019, Printers No. 1977
was passed over at the request of the SPEAKER pro tem-
pore.

Agreeably to order,

The House proceeded to the third reading and con-
sideration of House Bill No. 2048, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669)
entitled as amended "An act to provide revenue for school
districts of the first class by imposing a tax on persons
engaging in certain businesses professions occupations
trades vocations and commercial activities therein provid-
ing for its levy and collection * * *" defining "receipts"
to exclude certain wholesale dealers in tobacco and
tobacco products and making such definitions retroactive.

And said bill having been read at length the third time,
considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas
and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovanseck, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | O'Neill, | Weldner, |
| Down, | Knecht, | Odorisio, | Welsh, |
| Edwards, | Kooker, | Ogilvie, | Wescott, |
| Elberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | |
| Frank, | Luigard, | Rigby, | Andrews, |
| | | | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A.J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusto, |
| Capitolo, | Irvia, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnier, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted
in the affirmative, the question was determined in the
affirmative.

Ordered, That the Clerk present the same to the Senate
for concurrence.

Agreeably to order,

The House proceeded to the third reading and con-
sideration of House Bill No. 2455, entitled:

An Act amending the Act of May 25, 1933 (P. L. 1050)
entitled "An act creating and establishing a fund for the
care maintenance and relief of aged retired and disabled
employees of the bureau of fire in cities of the second
class * * *" further regulating payments to the widow
and children of members who are killed while on duty.

And said bill having been read at length the third time,
considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas
and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovanseck, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | O'Neill, | Weldner, |
| Down, | Knecht, | Odorisio, | Welsh, |
| Edwards, | Kooker, | Ogilvie, | Wescott, |
| Elberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | Andrews, |
| Frank, | Luigard, | Rigby, | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A.J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusto, |
| Capitolo, | Irvia, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnier, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2456, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) further regulating payments to the widow and children of members who are killed while on duty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew. | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Magee, | Seltzer, |
| Boris, | Goodrich, | Mahan, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | Odoriso, | Weldner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | Andrews, |
| Frank, | Lulgard, | Rigby, | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P. | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varner, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Gailey, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 990, entitled:

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

| | | | |
|------------|-------------------|-------------------|------------------|
| Anderson, | Frascella, | Lutty, | Renwick, |
| Arlene, | Fulmer, | McCandless, | Rigby, |
| Balthaser, | Gallagher, | McCann, | Riley, |
| Barton, | Garlock, | McInroy, | Sakulsky, |
| Bell, | George, | McLaughlin, | Scarcelli, |
| Bonner, | Goldstein, M. H., | Machmer, | Schaaf, |
| Boris, | Goodrich, | Magee, | Schuster, |
| Bower, | Gramlich, | Mahan, | Seltzer, |
| Bowman, | Hamilton, | Markley, | Snare, |
| Buchanan, | Hocker, | Maxwell, | Snider, |
| Burns, | Holt, | Meholchick, | Stank, |
| Capano, | Horst, | Merry, | Steckel, |
| Cianfrani, | Isaacs, | Mihm, | Stewart, |
| Cioffi, | Jenkins, | Miller, B. Z., | Stoner, |
| Clarke, | Jim, | Miller, H. G., | Strausser, |
| Comer, | Johnson, A. W., | Mills, | Sullivan, |
| Davis, | Johnson, R., | Munley, | Taylor, |
| Dengler, | Jones, F. R., | Murphy, P. J., | Thompson, |
| Dennison, | Jump, | Murray, H. P., | Tompkins, |
| Devlin, | Kamyk, | Murray, J. J., | Varallo, |
| Donahue, | Kee, | Musto, | Verona, |
| Dougherty, | Kelser, | Naugle, | Wall, |
| Down, | Kernaghan, | Needham, | Walsh, |
| Edwards, | Knecht, | O'Donnell, J. A., | Wargo, |
| Elberg, | Kooker, | O'Neill, | Weldner, |
| Eshback, | Korns, | Odoriso, | Wescott, |
| Eshleman, | Kovolenko, | Ogilvie, | Williams, E. S., |
| Ewing, | Kubitsky, | Parlante, | Willard, |
| Fetterolf, | Lee, A. M., | Pashley, | Willaredt, |
| Filo, | Lee, K. B., | Perry, H. H., | Wood, |
| Fineman, | Leonard, | Petrosky, | Wynd, |
| Floyd, | Light, | Polaski, | Yatron, |
| Flynn, | Limper, | Polen, | Yetter, |
| Foerster, | Lippincott, | Prendergast, | Zimmerman, |
| Frank, | Lopresti, | Pursley, | Andrews, |

Speaker

NAYS—19

| | | | |
|------------|-----------|-----------|----------------------|
| Agnew, | Gelfand, | Nelson, | Shupnik, |
| Breth, | Holliday, | Price, | Welsh, |
| Crossin, | Kessler, | Reibman, | Williams, A.D., Jr., |
| Curwood, | Lamb, | Rovansek, | Worley, |
| Farabaugh, | Lulgard, | Sherman, | |

NOT VOTING—50

| | | | |
|-------------|-------------------|---------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P., | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varner, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Gailey, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection

Senate Bill No. 1175, Printer's No. 1437, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1187, entitled:

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Mahan, | Seltzer, |
| Boris, | Goodrich, | Magee, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | O'Neill, | Weidner, |
| Down, | Knecht, | Odorisio, | Welsh, |
| Edwards, | Kooker, | Ogilvie, | Wescott, |
| Ellberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | Andrews, |
| Frank, | Lulgard, | Rigby, | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A.J., Jr., | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irlis, | O'Donnell, J. P., | Ujbal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnier, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 304.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto" providing for the creation of capital reserve funds for capital expenditures

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by striking out after the word "to" the word "municipal" and inserting in lieu thereof the word "county"; line 8, by inserting after the word "may" the word "annually"; line 10, by inserting at the beginning of the line the word "current."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frascella, | Lutty, | Riley, |
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | George, | Machmer, | Schuster, |
| Bonner, | Goldstein, M. H., | Mahan, | Seltzer, |
| Boris, | Goodrich, | Magee, | Sherman, |
| Bower, | Gramlich, | Markley, | Shupnik, |
| Bowman, | Hamilton, | Maxwell, | Snare, |
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, R., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, A. W., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Kelser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Down, | Kessler, | Odorisio, | Weidner, |
| Dougherty, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Korns, | Parlante, | Williams, A.D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |

| | | | |
|--|---|--|---|
| Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, | Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, | Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, | Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|--|---|

NAYS—1

Worley,

NOT VOTING—50

| | | | |
|---|--|--|--|
| Ashton, Auker, Blair, Boles, Branca, Brenninger, Brown, Capitolo, Cooper, Dennis, Donaldson, Fox, Galley, | Gibb, Goldstein, J. H., Guthrie, Heavey, Hefner, Helm, Henzel, Irvis, Jones, T. H. W., Kornick, McCormack, McDonald, McKeever, | Monroe, Moran, Muldowney, Mullen, Murphy, A. J., Jr., Murray, P. G., O'Dell, O'Donnell, J. P., Perry, P. E., Reidenbach, Royer, Rudisill, | Schwartz, Silverman, Stevens, Stimmel, Stone, Stroup, Trusio, Ujobal, Varner, Wheeler, Whittaker, Wilt, |
|---|--|--|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

BILL PASSED OVER

There being no objection

House Bill No. 1472, Printer's No. 1777 was passed over at the request of the SPEAKER pro tempore.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CON- CURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1508.

An Act "transferring the moneys of the state school fund providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases conferring powers and imposing duties upon the state council of education the superintendent of public instruction and the secretary of labor and industry providing for future escheated estates making certain appropriations and repealing certain sections of the public school code of 1949" amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising and consolidating and changing the laws relating thereto" providing for the use of moneys in the State School Fund of Pennsylvania for assisting Public School Districts and State Teachers' Colleges to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Auditor General the Superintendent of Public Instruction and the Secretary of Labor and Industry and making an appropriation

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title by striking out all of the first 7 lines and part of line 8, as follows: "Transferring the moneys of the state school fund to the general fund providing for the use of such moneys for assisting public school districts to comply with required safety standards in certain cases conferring powers and imposing duties upon the state council of education the superintendent of public instruction and the secretary of labor and industry providing for future escheated estates making certain appropriations and repealing certain sections of the public school code of 1949" and inserting in lieu thereof the following: "Amending the act of March 10, 1949 (P. L. 30) entitled "An Act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the use of moneys in the state school fund of Pennsylvania for assisting public school districts and state teachers' colleges to comply with required safety standards in certain cases conferring powers and imposing duties upon the state council of education the auditor general the superintendent of public instruction and the secretary of labor and industry and making an appropriation"; page 2, line 1, by striking out all of Section 1, page 4, by striking out all of Sections 2 and 3, page 7 by striking out all of Sections 4 and 5 and 6, as follows:

"Section 1 All moneys and other property belonging to and constituting "the state school fund of Pennsylvania" for the purpose of such transfer all such property other than money shall be converted into cash provided that the following appropriations shall be made from the amounts transferred hereby

"(a) The sum of two hundred thousand dollars (\$200,000) or as much thereof as may be necessary is hereby specifically appropriated to the state council of education for the two fiscal years beginning June 1, 1959 to use as it deems wise towards equalizing the educational advantages of the different parts of this Commonwealth

"(b) The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby specifically appropriated to the state council of higher education for the two fiscal years beginning June 1, 1959 to use for the payment of salaries wages and all other expenses necessary for the proper conduct of its purposes and activities

"(c) As much of the remainder of such moneys as may be necessary is hereby specifically appropriated to the state council of education for the following uses and purposes

"(1) To make payments for a part of the cost of repairs and/or alterations to local public school buildings which repairs and/or alterations are necessary to satisfy fire and safety standards or requirements and which are required by order of the department of labor and industry or in those cases in which the department of labor and industry does not have jurisdiction then by order of another governmental body of competent jurisdiction empowered by law to enforce such orders including cities of the first class cities of the second class and cities of the second class a

"(2) To pay for salaries and wages purchase of supplies and other necessary and pertinent expenses of administration of this act

"Section 2 Applications for approval of the proposed work shall be submitted to the bureau of school buildings of the Department of Public Instruction and no project shall be undertaken until the plans have been approved by the Department of Labor and Industry and such applications together with plans specifications and bid costs have been approved by the bureau of school buildings of the Department of Public Instruction applications under provisions of this act shall be considered in the order in which they are filed with the Department of Public Instruction

"Section 3 Upon approval of the project and the bid costs applications for payments may be made by the board of school directors of a school district or by a joint

school board to the Department of Public Instruction in such form as the State Council of Education shall prescribe applicants may qualify for payments on account of repairs and/or alterations made in compliance with orders issued subsequent to December 1, 1958 by the Department of Labor and Industry or by other governmental bodies of competent jurisdiction empowered by law to enforce such orders including the cities of Philadelphia Pittsburgh and Scranton provided that the provisions of this act or of Sections 731 733 or 751 of the Act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" as amended relating to approval have been satisfied

"Payments shall be made on order of the State Council of Education drawn on the state treasurer on the aforesaid funds when the applications therefor have been approved by the Superintendent of Public Instruction provided that the State Council of Education may grant ad interim authority to the Superintendent of Public Instruction to issue such orders which shall be confirmed by the council at its next regular meeting

"In the case of school districts which have less than \$350,000 valuation per district teaching unit payments may be approved up to seventy five per centum of the total cost of repairs and/or alterations in the case of school districts which have more than \$350,000 but less than \$750,000 valuation per district teaching unit payments may be approved up to fifty per centum of the total cost of repairs and/or alterations in the case of school districts which have more than \$750,000 but less than \$1,000,000 valuation per district teaching unit payments may be approved up to twenty-five per centum of the total cost of repairs and/or alterations where school districts have more than \$1,000,000 valuation per district teaching unit payments may be approved up to five per centum of the total cost of repairs and/or alterations payments up to one hundred per centum of the total cost of repairs and/or alterations may be approved in the case of applications made by school districts which have heretofore been determined by the Superintendent of Public Instruction to be financially handicapped and distressed in no case shall any payment be made for repairs and/or alterations made to any school building which is closed finally by the Department of Labor and Industry or the Department of Public Instruction

"Payment on account of any project under the provisions of this act shall preclude any further reimbursement from state funds for the project payments shall be made in the order in which applications for approval of proposed work together with plans specifications and bid costs have been approved by the bureau of school buildings of the Department of Public Instruction

"Section 4 The State School Fund of Pennsylvania is hereby abolished and all estates hereafter escheated to the Commonwealth and all other property or money which shall in any way accrue to such fund whether by devise gift or otherwise other than as herein provided shall be paid in and belong to the general fund

"Section 5 Sections 2601 2602 2603 2604 2605 and 2606 Act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" are repealed

"Section 6 This act shall take effect in thirty days" and inserting in lieu thereof the following:

"Section 1 Sections 2603 2604 and 2605 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" are amended to read

"Section 2603 Investments The State Council of Education shall promptly invest and keep invested as constantly as possible to the best advantage of the State school fund all appropriations devises gifts and other receipts for this purpose as a permanent State school fund [whose income only may be expended] investments of the permanent State school fund may be made only in bonds properly issued by the government of the United States the Commonwealth of Pennsylvania a school district in this Commonwealth or in municipal bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits and all such investments must be first approved by the auditor general.

"Such investments shall be converted into cash whenever necessary to make the payments provided for in this article and to pay for salaries and wages purchase of

supplies and other necessary and pertinent expenses of administration of this article

"Section 2604 [Use of income the State Council of Education is hereby authorized to use so much of the interest rentals and other income of the school fund as it deems wise towards equalizing the educational advantages of the different parts of this Commonwealth to make advancements to school districts temporarily in need and to deduct said advancements from any appropriation that may be due said districts upon such terms as the districts and the State Council of Education shall agree and also to use such part of the same as it deems wise to further and promote education in the conservation of natural resources and education in forestry agricultural and other industrial pursuits in the public schools of this Commonwealth for all of said purposes all income from the State school fund is hereby appropriated to the State Council of Education all of the income not thus used shall be annually added to the principal of said fund the State Council of Education may also lease sell or otherwise dispose of any of the real estate securities or other property belonging to the State school fund and invest the proceeds thereof in compliance with this act] use of fund appropriation in addition to equalizing educational opportunities throughout the Commonwealth the State Council of Education may expend moneys from the State school fund of Pennsylvania for the purpose of paying a part of the costs of repairs and/or alterations to local public school buildings or buildings used by State Teachers' Colleges which repairs and/or alterations are necessary to satisfy fire and safety standards or requirements and which are required by order of the Departments of Labor and Industry or in those cases in which the Department of Labor and Industry does not have jurisdiction then by order of another governmental body of competent jurisdiction empowered by law to enforce such orders including cities of the first class cities of the second class and cities of the second class A

"As much of the moneys in the State School Fund of Pennsylvania including principal and income as may be necessary is specifically appropriated to the State Council of Education to be used for the purposes and in the manner prescribed in this act

"Section 2605 Payments How Made [so much of the State School Fund as is to be invested or reinvested in any securities or the income thereof that may be used for any of the purposes herein provided shall be paid out by a proper order authorized by the State Council of Education and signed by the president and secretary thereof drawn on the State Treasurer on said funds which order shall first be approved by the Auditor General] applications for approval of the proposed work shall be submitted to the Bureau of School Buildings and no project shall be undertaken until such application together with plans and specifications and bid costs have been approved by the bureau of school buildings The Superintendent of Public Instruction The Auditor General and The Secretary of Labor and Industry applications under provisions of this act shall be considered in the order in which they are filed with the Department of Public Instruction

"Upon approval of the project and the bid costs applications for payments as hereinafter provided may be made by the board of school directors of a school district or by a joint school board and by the trustees of a State Teachers' College to the Department of Public Instruction in such form as the State Council of Education with the approval of the Auditor General Superintendents of Public Instruction and Secretary of Labor and Industry shall prescribe applications for payments under provisions of this act shall be considered in the order in which they are filed with the Department of Public Instruction

"Applicants may qualify for payments on account of repairs and/or alterations made in compliance with orders issued subsequent to December 1, 1958 by the Department of Labor and Industry or by other governmental bodies of competent jurisdiction empowered by law to enforce such orders including the cities of Philadelphia Pittsburgh and Scranton

Payments shall be made on order of the State Council of Education signed by the president and secretary there-

of drawn on the State Treasurer on such funds when the applications therefor have been approved by the Auditor General the Superintendent of Public Instruction and the Secretary of Labor and Industry provided the State Council of Education may grant ad interim authority to the Superintendent of Public Instruction to issue orders which shall be confirmed by the council at its next regular meeting in the case of school districts which have less than three hundred fifty thousand dollars (\$350,000) valuation per district teaching unit payments may be approved up to seventy-five per centum of the total cost of repairs and/or alterations in the case of school districts which have more than three hundred fifty thousand dollars (\$350,000) but less than seven hundred fifty thousand dollars (\$750,000) valuation per district teaching unit payments may be approved up to fifty per centum of the total cost of repairs and/or alterations in the case of school districts which have more than seven hundred fifty thousand dollars (\$750,000) but less than one million dollars (\$1,000,000) valuation per district teaching unit payments may be approved up to twenty-five per centum of the total cost of repairs and/or alterations where school districts have more than one million dollars (\$1,000,000) valuation per district teaching unit payments may be approved up to five per centum of the total cost of repairs and/or alterations payments up to one hundred per centum of the total cost of repairs and/or alterations may be approved in the case of applications made by State Teachers' Colleges and school districts which are determined by the Superintendent of Public Instruction to be financially handicapped and distressed in accordance with the provisions of this act in no case shall any payment be made for repairs and/or alterations made to any school building which is closed finally by the Department of Labor and Industry or the Department of Public Instruction

"Except in the case of State Teachers' Colleges payment on account of any project under the provisions of this act shall preclude any further reimbursement from state funds for the project

"Section 2 This act shall take effect immediately"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

| | | |
|------------|-------------------|-------------------|
| Agnew, | Frascella, | Lutty, |
| Anderson, | Fulmer, | McCandless, |
| Arlene, | Gallagher, | McCann, |
| Balthaser, | Garlock, | McInroy, |
| Barton, | Gelfand, | McLaughlin, |
| Bell, | George, | Machmer, |
| Bonner, | Goldstein, M. H., | Magee, |
| Boris, | Goodrich, | Mahan, |
| Bower, | Gramlich, | Markley, |
| Bowman, | Hamilton, | Maxwell, |
| Breth, | Hocker, | Meholchick, |
| Buchanan, | Holliday, | Merry, |
| Burns, | Holt, | Mihm, |
| Capano, | Horst, | Miller, B. Z., |
| Cianfrani, | Isaacs, | Miller, H. G., |
| Cloff, | Jenkins, | Mills, |
| Clarke, | Jim, | Munley, |
| Comer, | Johnson, A. W., | Murphy, P. J., |
| Crossin, | Johnson, R., | Murray, H. P., |
| Curwood, | Jones, F. R., | Murray, J. J., |
| Davis, | Jump, | Musto, |
| Dengler, | Kamyk, | Naugle, |
| Dennison, | Kee, | Needham, |
| Devlin, | Kelser, | Nelson, |
| Donahue, | Kernaghan, | O'Donnell, J. A., |
| Dougherty, | Kessler, | Odorisio, |
| Down, | Knecht, | Ogilvie, |
| Edwards, | Kooker, | O'Neill, |
| Ellberg, | Korns, | Parlante, |
| Eshback, | Kovolenko, | Pashley, |
| Eshleman, | Kubitsky, | Perry, H. H., |
| Ewing, | Lamb, | Petrosky, |

Farabaugh,
Fetterolf,
Fllo,
Fineman,
Floyd,
Flynn,
Foerster,
Frank,

Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lippincott,
Lopresti,
Lulgard,

Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,

Wood,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—50

Ashton,
Auker,
Blair,
Boies,
Branca,
Brenninger,
Brown,
Capitolo,
Cooper,
Dennis,
Donaldson,
Fox,
Gailey,

Gibb,
Goldstein, J. H.,
Guthrie,
Heavey,
Hefner,
Helm,
Henzel,
Irvia,
Jones, T. H. W.,
Kornick,
McCormack,
McDonald,
McKeever,

Monroe,
Moran,
Muldowney,
Mullen,
Murphy, A. J., Jr.,
Murray, P. G.,
O'Dell,
O'Donnell, J. P.,
Perry, P. E.,
Reidenbach,
Royer,
Rudisill,

Schwartz,
Silverman,
Stevens,
Stimmel,
Stone,
Stroup,
Trusio,
Ujobai,
Varner,
Wheeler,
Whittaker,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2261.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the levying and collection of taxes by certain independent school districts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 15, by striking out after the second word "district" the word "shall" and inserting in lieu thereof the word "may."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Agnew,
Anderson,
Arlene,
Balthaser,
Barton,
Bell,
Bonner,
Boris,
Bower,
Bowman,

Frascella,
Fulmer,
Gallagher,
Garlock,
Gelfand,
George,
Goldstein, M. H.,
Goodrich,
Gramlich,
Hamilton,

Lutty,
McCandless,
McCann,
McInroy,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,

Riley,
Rovaneek,
Sakulsky,
Scarcelli,
SchAAF,
Schuster,
Seltzer,
Sherman,
Shupnik,
Snare,

| | | | |
|------------|-----------------|-------------------|-----------------------|
| Breth, | Hocker, | Meholchick, | Snider, |
| Buchanan, | Holliday, | Merry, | Stank, |
| Burns, | Holt, | Mihm, | Steckel, |
| Capano, | Horst, | Miller, B. Z., | Stewart, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stoner, |
| Cioffi, | Jenkins, | Mills, | Strausser, |
| Clarke, | Jim, | Munley, | Sullivan, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, R., | Murray, H. P., | Thompson, |
| Curwood, | Jones, F. R., | Murray, J. J., | Tompkins, |
| Davis, | Jump, | Musto, | Varallo, |
| Dengler, | Kamyk, | Naugle, | Verona, |
| Dennison, | Kee, | Needham, | Wall, |
| Devlin, | Keiser, | Nelson, | Walsh, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Wargo, |
| Dougherty, | Kessler, | Odorisio, | Weidner, |
| Down, | Knecht, | Ogilvie, | Welsh, |
| Edwards, | Kooker, | O'Neill, | Wescott, |
| Ellberg, | Korns, | Parlante, | Williams, A. D., Jr., |
| Eshback, | Kovolenko, | Pashley, | Williams, E. S., |
| Eshleman, | Kubitsky, | Perry, H. H., | Willard, |
| Ewing, | Lamb, | Petrosky, | Willaredt, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Filo, | Leonard, | Prendergast, | Wynd, |
| Fineman, | Light, | Price, | Yatron, |
| Floyd, | Limper, | Pursley, | Yetter, |
| Flynn, | Lippincott, | Reibman, | Zimmerman, |
| Foerster, | Lopresti, | Renwick, | Andrews, |
| Frank, | Luigard, | Rigby, | Speaker |

NAYS—0

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Silverman, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irviss, | O'Donnell, J. P. | Ujobal, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varner, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2447.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing the compensation of members of the General Assembly

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 15, by striking out the bracket before the word "except"; page 2, line 16, by striking out the bracket after the word "clerical"; Section 1, page 3, line 1, by striking out the bracket before the word "assistance"; page 3, line 3, by striking out the bracket after the word "annually" and the bracket before the word "and" and after the word "expenses"; page 3, line 7, by adding after the word "year" the following: "except that the salaries of the Members of the House of Representatives shall be six thousand dollars (\$6,000) per annum without the allowance of three thousand dollars (\$3,000) for clerical assistance after their election at the general election in 1960 and the salaries of the Members of the Senate as they are severally elected at the general election in 1960 and subsequent elections shall be six thousand dollars (\$6,000) per annum without any allowance of three thousand dollars (\$3,000) for clerical assistance"

Amend Section 2, page 4, line 3, by adding after the word "Constitution" the following: "and without the elimination of the three thousand dollars (\$3,000) allowance for clerical assistance and other expenses except as herein provided"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. TOMPKINS. This is the bill which takes our expense account and throws it into our salary and makes our salary \$6,000 a year and eliminate the \$3,000 expense. Yes, we agreed to go along with that.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—155

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frascella, | McCandless, | Riley, |
| Anderson, | Fulmer, | McCann, | Royansek, |
| Arlene, | Gallagher, | McInroy, | Sakulsky, |
| Balthaser, | Garlock, | McLaughlin, | Scarcelli, |
| Bonner, | Gelfand, | Machmer, | Schaaf, |
| Barton, | George, | Magee, | Schuster, |
| Boris, | Goldstein, M. H., | Markley, | Sherman, |
| Bower, | Goodrich, | Maxwell, | Shupnik, |
| Bowman, | Gramlich, | Mahan, | Silverman, |
| Breth, | Hamilton, | Meholchick, | Snare, |
| Buchanan, | Hocker, | Merry, | Snider, |
| Burns, | Holt, | Mihm, | Stank, |
| Capano, | Horst, | Miller, B. Z., | Steckel, |
| Cianfrani, | Isaacs, | Miller, H. G., | Stewart, |
| Cioffi, | Jenkins, | Mills, | Stoner, |
| Clarke, | Jim, | Munley, | Strausser, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Sullivan, |
| Crossin, | Johnson, R., | Murray, H. P., | Taylor, |
| Curwood, | Jones, F. R., | Murray, J. J., | Thompson, |
| Davis, | Jump, | Musto, | Tompkins, |
| Dengler, | Kamyk, | Naugle, | Varallo, |
| Dennison, | Kee, | Needham, | Verona, |
| Devlin, | Keiser, | Nelson, | Wall, |
| Donahue, | Kernaghan, | O'Donnell, J. A., | Walsh, |
| Dougherty, | Knecht, | Odorisio, | Wargo, |
| Down, | Kooker, | Ogilvie, | Weidner, |
| Edwards, | Korns, | O'Neill, | Welsh, |
| Ellberg, | Kovolenko, | Parlante, | Wescott, |
| Eshback, | Kubitsky, | Pashley, | Willard, |
| Eshleman, | Lamb, | Perry, H. H., | Willaredt, |
| Ewing, | Lee, A. M., | Petrosky, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Polaski, | Williams, E. S., |
| Fetterolf, | Leonard, | Polen, | Wood, |
| Filo, | Light, | Prendergast, | Wynd, |
| Fineman, | Limper, | Price, | Yatron, |
| Floyd, | Lippincott, | Pursley, | Yetter, |
| Flynn, | Lopresti, | Reibman, | Zimmerman, |
| Foerster, | Luigard, | Renwick, | Andrews, |
| Frank, | Lutty, | Rigby, | Speaker |

NAYS—4

| | | | |
|------|-----------|----------|---------|
| Bel, | Holliday, | Kessler, | Worley, |
|------|-----------|----------|---------|

NOT VOTING—50

| | | | |
|-------------|-------------------|--------------------|------------|
| Ashton, | Gibb, | Monroe, | Schwartz, |
| Auker, | Goldstein, J. H., | Moran, | Seltzer, |
| Blair, | Guthrie, | Muldowney, | Stevens, |
| Boles, | Heavey, | Mullen, | Stimmel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stone, |
| Brenninger, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Henzel, | O'Dell, | Trusio, |
| Capitolo, | Irvig, | O'Donnell, J. P. | Ujobai, |
| Cooper, | Jones, T. H. W., | Perry, P. E., | Varnier, |
| Dennis, | Kornick, | Reidenbach, | Wheeler, |
| Donaldson, | McCormack, | Royer, | Whittaker, |
| Fox, | McDonald, | Rudisill, | Wilt, |
| Galley, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2436.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court * * * certain state officers and the salary and expenses of the members of the General Assembly * * *" changing time for payment of certain portions of salary and expenses.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 2436.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court * * * certain state officers and the salary and expenses of the members of the General Assembly * * *" changing time for payment of certain portions of salary and expenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 2376

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 19, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2376, Printer's No. 1699, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. SAKULSKY. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Sakulsky, vote on the final passage of this bill?

Mr. SAKULSKY. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SAKULSKY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SAKULSKY asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Section 2, Page 3, line 11, by striking out "sixty" and inserting "ninety".

Amend Section 2, Page 3, lines 11 and 12 by striking out "final enactment hereof" and inserting "occurrence of the disaster".

Amend Section 2, Page 3, line 12 by striking out "or" and inserting "and".

Amend Section 3, Page 4, line 14, by striking out "sixty" and inserting "ninety".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BIRTHDAY OF MEMBER

Mrs. KOOKER. We have on our side of the House here a very fine but modest colleague. He forgot to tell us until almost the last moment that today is his birthday and we would like to have the birthday of Representative James Willard recognized by singing "Happy Birthday."

The SPEAKER pro tempore. The Chair recognizes Doctor Dengler.

Members joined in singing "Happy Birthday," led by Mr. Dengler.

Mr. WILLARD. Mr. Speaker and fellow Members of the House, I feel deeply honored. I almost got away without this. I remember back in the early part of the year when they were singing "Happy Birthday," I said, "Boy, they'll never get me because my birthday is on November 20 and we will long since be home and hard at work at our own jobs."

When I first threw my hat in the political ring back in 1956 I had some good friends say to me, it will get in your blood, and it has. But it has not been for the political implications. I believe it is because of the friendships you make, I value the friendships I have made on both sides of this House and I wish to thank you for honoring me, especially the one or ones who gave me this anonymous birthday present. If I get enough ayes in the House I will show this present. If not, I will take it home with me.

What I cannot understand is their giving me this present. There is a little card in here which says, "For Emergency Use Only." I do not know what that means but what they do not know is that I have a grandson, and I think by shrinking these a little but I am going to be able to give them to him this evening.

I thank you very kindly and I really appreciate it very much.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the message from the Senate together with Senate Bill No. 882 be laid on the Speaker's table.

The motion was agreed to.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 810

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 810, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

And has appointed Messrs. Wade, Propert and Ruth a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 810 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 810

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. DEVLIN, SCHAAF and SELTZER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 253.

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

HOUSE BILL No. 1162.

An Act amending the "City Classification Law" approved June 25, 1895 (P. L. 275) changing the mode for the advance in classification of cities upon their increase in population.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1861

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1861.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 102

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

HOUSE RESOLUTION No. 102.

Directing the State Council Civil Defense to consult with the Atomic Energy Commission on defense measures.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 1179

The Clerk of the Senate being introduced, informed that the Senate recedes from its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1179, entitled:

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 1179.

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

TIME EXTENDED ON BILLS

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 2323, Printer's No. 1401, on page 5 of today's calendar, bills on third reading postponed.

SENATE MESSAGE**SENATE BILLS FOR CONCURRENCE**

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 275.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1959" increasing the compensation of the county board of school directors for attendance at meetings.

Referred to the Committee on Rules.

SENATE BILL No. 1250.

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 355.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) changing the amount of dues which may be paid by the township to the State Association of Township Supervisors.

HOUSE BILL No. 672.

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) authorizing the use of money in the "fish fund" for an engineering survey of the Susquehanna River.

HOUSE BILL No. 1316.

An Act amending the act of June 2, 1937 (P. L. 1183) entitled "An act providing that investment of shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds" permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth.

HOUSE BILL No. 2037.

An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts.

HOUSE BILL No. 2260.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145) providing for levying assessment and collection of taxes by certain independent school districts.

HOUSE BILL No. 2314.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitations with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund.

HOUSE BILL No. 2412.

An Act amending the act of September 8, 1959 (Act No. 330) entitled "An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class' increasing the annual salaries of certain county officers in counties of the eighth class" clarifying the effective date.

HOUSE BILL No. 2414.

An Act amending "The Tird Class City Code" approved June 23, 1931 (P. L. 932) providing for payment to posts of the Italian-American World War Veterans of the United States Incorporated.

HOUSE BILL No. 2447.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" changing the compensation of members of the General Assembly.

SENATE BILL No. 87.

An Act making an appropriation to Carnegie Institute of Pittsburgh Pennsylvania.

SENATE BILL No. 160.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the improvement of streets by the borough without petition and the assessment and collection of costs from abutting property owners under certain conditions.

SENATE BILL No. 217.

An Act making an appropriation to the One-Hundredth Anniversary of the Battle of Gettysburg and Lincoln's Gettysburg Address Commission.

SENATE BILL No. 295.

An Act making an appropriation to the Dickinson School of Law Carlisle Pennsylvania.

SENATE BILL No. 379.

An Act amending the act of May 27, 1949 (P. L. 1903) entitled "The Military Code of 1949" providing that Colonels having certain service shall be placed on the retired list as Brigadier Generals.

SENATE BILL No. 380.

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further regulating the making of installment loans.

SENATE BILL No. 445.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania for the completion of a girls' dormitory.

SENATE BILL No. 545.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the construction of a shrine to house the replica of the Liberty Bell.

SENATE BILL No. 711.

An Act making an appropriation to the Pennsylvania School for the Deaf at Philadelphia.

SENATE BILL No. 863.

An Act making an appropriation to Dauphin County for defraying expenses incurred by Dauphin County in connection with the trial of certain employees and officials of the Pennsylvania Turnpike Commission.

SENATE BILL No. 868.

An Act amending the title and act of June 17, 1915 (P. L. 1012) entitled as amended "Small Loans Act" increasing the maximum loan to eight hundred (\$800) dollars increasing the rates of interest on certain balances and extending the maturity limitation on loans.

SENATE BILL No. 940.

An Act amending the act of July 12, 1957 (P. L. 833) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land for the use of certain state teachers colleges and making appropriations" increasing the appropriation for one tract.

SENATE BILL No. 971.

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employees amending revising consolidating and changing the laws relating thereto" changing contributions and credit provisions relating to the Chief Justice and judges of the Supreme Court under certain circumstances further providing for computation of withdrawal allowances for members of Class E who serve on the Supreme or Superior Courts providing for multiple service credit in the case of certain members of the General Assembly changing the income limitation for disability annuitants and providing a death benefit after ten years of service in certain cases regulating payment by the retirement board to credit unions in certain cases and restricting assignment of rights after payment for default.

SENATE BILL No. 1059.

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" increasing the rate of compensation changing subrogation rights and further regulating reports examinations and testimony of physicians.

SENATE BILL No. 1106.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

SENATE BILL No. 1133.

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of

recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act.

SENATE BILL No. 1158.

An Act amending the act of May 20, 1949 (P. L. 1593) entitled "An act to repeal the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 535) entitled 'An act providing for the redemption of real property purchased by political subdivisions at tax sales upon the payment of the amount charged against the same and costs by installment payments and prescribing the procedure therefor' in so far as it relates to counties of the second class and cities boroughs townships and school districts situate in such counties" extending the application thereof to counties of the first class and cities and school districts located within such counties.

SENATE BILL No. 1161.

An Act amending the act of July 5, 1947 (P. L. 1258) entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid . . ." authorizing an agreement between cities of the second class purchasing property at treasurer's sales and all other taxing authorities having an interest in such lands with respect to the distribution of rents income and the proceeds of the resale of such lands.

SENATE BILL No. 1179.

An Act amending the act of July 8, 1957 (P. L. 569) entitled "Korean Conflict Veterans' Compensation Act" deleting the requirement that certain veterans be residents of the Commonwealth of Pennsylvania on the effective date of the act to be eligible for compensation and making an additional appropriation.

SENATE BILL No. 1182.

An Act providing for the carrying out of the directions of any person with respect to the disposition of any part of his remains to an eye bank.

SENATE BILL No. 1194.

An Act making an appropriation to the Department of Property and Supplies to complete acquisition of five tracts of land in the Borough of West Chester County for use of the West Chester State Teachers' College.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATIONS AND BILLS LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communications from the Senate together with House Bills Nos. 162, 626, 1472, 1675, 1915, 2173 and 2279 be laid on the table. The motion was agreed to.

COMMUNICATION AND REPORT OF CONFERENCE COMMITTEE

LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Senate together with the report of the Committee of Conference on Senate Bill No. 864 be laid on the table.

The motion was agreed to.

Mr. A. W. JOHNSON. No further business, except I

believe we should wish everybody a happy Thanksgiving; it is coming this Thursday, you know.

The SPEAKER pro tempore. The Chair thanks the gentleman on behalf of the House.

ADJOURNMENT

Mr. CIOFFI. Mr. Speaker, I move that this House do now adjourn until Tuesday, December 1, 1959 at 2:00 p.m. EST.

The motion was agreed to, and (at 3:40 p.m. EST) the House adjourned.

STANDING COMMITTEES

AGRICULTURE AND DAIRY INDUSTRIES

Snider, Chairman, Farabaugh, Vice Chairman, Burns, Devlin, Garlock, Luigard, Machmer, Murphy, A. J., Nelson, Perry, H. H. Reibman, Shupnik, Yetter, Ashton, Korn, Light, Stoner, Stroup, Wescott, Worley.

APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Boies, Breth, Dougherty, Hamilton, McCormack, Mihm, Munley, Musto, Reidenbach, Snider, Wheeler, Bower, Brown, Cooper, Helm, Hocker, Tompkins, Wood.

BANKING AND BUILDING AND LOAN ASSOCIATIONS

Muldowney, Chairman, Clarke, Vice Chairman, Comer, Frascella, Gelfand, Holt, Jenkins, Luty, Mills, Murray, John J., O'Donnell, James A. Petrosky, Sherman, Buchanan, Cooper, Gibson, Lee, Austin M., Murray, Harvey P., Murray, Paul G., Seltzer.

BOROUGHES

Filo, Chairman, Moran, Vice Chairman, Balthaser, Burns, Farabaugh, Jenkins, Kovolenko, Mehlichick, Murphy, A. J., Reibman, Rudisill, Verona, Wargo, Agnew, Fox, Fulmer, Kernaghan, Kubitsky, Williams, E. S., Zimmerman.

CITIES—COUNTIES, FIRST CLASS

Limper, Chairman, Eilberg, Vice Chairman, Branca, Comer, Frascella, Heavey, Mullen, McCormack, Muldowney, Parlante, Pashley, Schwartz, Sullivan, Boris, Johnson, Robert P., Kee, Lee, Austin M., Miller, B. Z., Mrs., Stewart, Williams, Alan D., Jr.

CITIES—COUNTIES, SECOND CLASS AND SECOND CLASS A

Mihm, Chairman, Devlin, Vice Chairman, Clarke, Foerster, Irvis, Jenkins, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, Jump, Kessler, O'Dell, Rigby.

CITIES—THIRD CLASS

Walsh, Chairman, Yatron, Vice Chairman, Boies, Cioffi, Frank, Gailey, Luigard, McDonald, Polaski, Sakulsky, Schaaf, Stone, Trusio, Jump, Magee, Mahan, Miller, Harold G., Murphy, Peter J., Murray, Paul G., Ogilvie.

COUNTIES

Cioffi, Chairman, Flynn, Vice Chairman, Farabaugh, Kovolenko, McDonald, Mehlichick, O'Neil, Prendergast, Renwick, Rudisill, Sakulsky, Stank, Wheeler, Barton, Down, Heffner, Light, Mahan, Pursley, Wynd.

EDUCATION

Reibman, Chairman, Anderson, Vice Chairman, Capano, Floyd, Gailey, Hamilton, Irvis, Musto, Polen, Reidenbach, Royansek, Sherman, Yatron, Dengler, Eshleman, Goldstein.

ELLECTIONS AND APPORTIONMENT

Stone, Chairman, Lopresti, Vice Chairman, Capano, Devlin, Garlock, Polen, Prendergast, Rudisill, Wargo, Wheeler, Bower, Jones, T. H. W., Royer, Tompkins, Williams, A. D. Jr.

FISHERIES

Curwood, Chairman, Yetter, Vice Chairman, Arlene, Breth, Crossin, Foerster, Frank, Jim, O'Donnell, James A., Perry, H. H., Riley, Schaaf, Trusio, Donahue, Edwards, Gramlich, Stimmel, Stone, Willard, Zimmerman.

GAME AND CONSERVATION

Breth, Chairman, Frank, Vice Chairman, Burns, Filo, Gallagher, Jim, Lamb, Machmer, Mehlichick, Nelson, Renwick, Riley, Yetter, Ashton, Goodrich, Kessler, Lee, Kenneth B., McInroy, Merry, Snare.

HIGHWAYS

Comer, Chairman, Garlock, Vice Chairman, Cioffi, Curwood, Filo, Heavey, Kornick, Murray, John J., Munley, Stank, Stone, Yatron, Yetter, Davis, Down, Hocker, Jump, Murray, Harvey P., Strausser, Thompson.

INSURANCE

Hamilton, Chairman, Floyd, Vice Chairman, Crossin, Jones, C. E., Fineman, Floyd, Gelfand, Kornick, Nelson, Prendergast, Sakulsky, Schwartz, Silverman, Brown, Horst, Murray, Paul G., Naugle, Pursley, Stimmel, Wil-laredt.

JUDICIARY

Rudisill, Chairman, Fineman, Vice Chairman, Devlin, Eilberg, Gailey, Gelfand, Irvis, Lamb, Mihm, Reibman, Schwartz, Sherman, Stone, Agnew, Auker, Isaacs, Jones, Thomas H. W., Steckel, Tompkins, Wilt.

JUDICIARY—SPECIAL

Leonard, Chairman, McCormack Vice Chairman, Clarke, Dennis, Devlin, Foerster, Heavey, Holt, Muldowney, Walsh, Bell, Bower, Bowman, Donaldson, Weidner.

LABOR RELATIONS

Wargo, Chairman, Welsh, Vice Chairman, Bonner, Branca, Flynn, Leonard, Limper, McKeever, McLaughlin, Moran, Parlante, Polaski, Rovansk, Eshback, Eshleman, George, Gramlich, Kee, Kubitsky, Stevens.

LAW AND ORDER

Mills, Chairman, Gailey, Vice Chairman, Curwood, Monroe, Munley, Murray, John J., O'Neil, Scarcelli, Welsh, Yatron, Gibb, Johnson, Robert P., Knecht, Naugle, Ujobai.

LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Boies, Curwood, Dougherty, Flynn, Maxwell, Mills, Pashley, Petrosky, Schuster, Taylor, Wargo, Barton, Boris, Brenninger, Eshback, Merry, Murphy, Peter J., Weidner.

MILITARY AFFAIRS

Needham, Chairman, Monroe, Vice Chairman, Anderson, Balthaser, Capitolo, Crossin, Kamyk, Kovolenko, McKeever, Mullen, Perry, Peter E., Scarcelli, Trusio, Bell, Fulmer, George, Ogilvie, Seltzer, Snare, Stevens.

MINES AND MINERAL INDUSTRIES

Rovensek, Chairman, Bonner, Vice Chairman, Kornick, McDonald, Mehlichick, Murphy, A. J., Needham, Prendergast, Stank, Verona, Buchanan, Dennison, Ewing, Knecht, Varner.

MOTOR VEHICLES

Dougherty, Chairman, McLaughlin, Vice Chairman, Branca, Cianfrani, Eilberg, Filo, Frascella, O'Neil, Parlante, Renwick, Sherman, Stone, Taylor, Brenninger, Dengler, Dennison, Ewing, Guthrie, Lippincott, Markley.

MUNICIPAL CORPORATIONS

Polaski, Chairman, Trusio, Vice Chairman, Arlene, Capitolo, Cianfrani, Holt, Jim, Mullen, O'Donnell, J. P., Perry, P. E., Riley, Schuster, Sullivan, Auker, Blair, Bowman, Fetterolf, Isaacs, Keiser, Lippincott.

PROFESSIONAL LICENSURE

Boies Chairman, Jones, Granville E., Vice Chairman, Dennis, Dougherty, Eilberg, Fineman, Holt, Maxwell, Mc-

Cormack, Schaaf, Parlante, Silverman, Shupnik, Kooker, McCandless, Miller, Beatrice Z., Odorisio, Rigby, Stewart, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Pashley, Vice Chairman, Anderson, Breth, Dennis, Jones, Granville, E. Monroe, O'Donnell, J. P., O'Neil, Silverman, Fox, Guthrie, Henzel, Kernaghan, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Petrosky, Chairman, Cianfrani, Vice Chairman, Breth, Floyd, Heavey, Luty, Maxwell, Mills, Moran, Mudowney, Mullen, Silverman, Taylor, Gibson, Heffner, Holliday, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Arlene, Capitolo, Gallagher, Limper, Luigard, O'Donnell, James P., Perry, Peter E., Welsh, McInroy, Miller, Harold G., O'Dell, Wall, Worley.

STATE GOVERNMENT

Schwartz, Chairman, Renwick, Vice Chairman, Comer, Fineman, Hamilton, Jones, Granville E., Luty, Garlock, Polaski, Polen, Reidenbach, Rudisill, Snider, Hauden-

shield, Jones, Thomas H. W., Price, Royer, Strausser, Wilt, Wood.

TOWNSHIPS

Kornick, Chairman, Jim, Vice Chairman, Balthaser, Farabaugh, Flynn, Garlock, Jenkins, Machmer, O'Donnell, James A., Perry, H. H. Shupnik, Verona, Wheeler, Edwards, Goodrich, Horst, Korn, Lee, Kenneth B., Odorisio, Willaredt.

WAYS AND MEANS

Wheeler, Chairman, Frascella, Vice Chairman, Capano, Cioffi, Petrosky, Kamyk, Limper, McLaughlin, Musto, Polen, Snider, Wash, Wargo, Blair, Davis, Ewing, Gibson, Price, Royer, Varner.

WELFARE

Kamyk, Chairman, Munley, Vice Chairman, Anderson, Bonner, Capano, Dennis, Frank, Leonard, Monroe, Musto, Murray, John J., Needham, Pashley, Donahue, Haudenshield, Weidner, Markley, McCandless, Ujobai, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Luty, Vice Chairman, Bonner, Branca, Cianfrani, Gallagher, Gelfand, McKeever, Moran, Rovanssek, Scarcelli, Sullivan, Welsh, Fetterolf, Holliday, Keiser, Wescott, Willard, Williams, Evan S., Wynd.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, NOVEMBER 30, 1959.

No. 116.

SENATE

MONDAY, November 30, 1959.

The Senate met at 3:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Father FRANCIS A. KIRCHNER, Pastor of St. Margaret Mary Catholic Church, Harrisburg, offered the following prayer:

In the Name of the Father, and of the Son and of the Holy Ghost, Amen.

O God, the Creator of us all, send Thy blessings upon every Member of this Assembly so that we may have the vision to see things from another's viewpoint, to concede to others the right to their own opinion and their own peculiarities, to be tolerant in disagreement, charitable in opposition, fair and honest in criticism, and merciful in judgment.

O Lord, we implore Thee, let Thy inspiration precede our actions and Thy divine assistance further them, so that all our thoughts, words and deeds may ever take their beginning from Thee and, so begun, may through Thee reach completion. Through Christ, our Lord, Amen.

In the Name of the Father, and of the Son and of the Holy Ghost, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 22, 74, 87, 132, 216, 217, 227, 295, 428, 436, 445, 545, 644, 711, 853, 863, 899, 925, 933, 940, 983, 1109, 1121, 1180, 1181, 1182, 1194, 1223 and 1226.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which

were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

November 30, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Noblit (Educator) Principal, Makefield Elementary School, Makefield Road, R. D., Yardley, Bucks County, for appointment as a member of the Advisory Committee to State Council of Education, until terminated.

DAVID L. LAWRENCE.

MEMBERS OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

November 30, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of The Pennsylvania Industrial Development Authority:

J. Dean Polen, Avella, Washington County, from June 21, 1957, until December 1, 1963, and until his successor shall be duly appointed and qualified.

Francis X. McBrearty, 7961 Williams Avenue, Philadelphia, Philadelphia County, until July 24, 1964, and until his successor shall be duly appointed and qualified, vice Robert G. MacDonald, Greensburg, resigned.

Victor C. Diehm, 627 West Diamond Avenue, Hazleton, Luzerne County, until July 24, 1965, and until his successor shall be duly appointed and qualified (Reappointment).

Max Fenton Balcom, Emporium, Cameron County, until August 20, 1966, and until his successor shall be duly appointed and qualified (Reappointment).

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE CONCURS IN SB 990

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 990**, with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE SENATE TO SB 810, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **SB 810**, and has appointed Messrs. DEVLIN, SCHAF and SELTZER as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to

consider the differences existing between the two houses in relation to said bill.

**HOUSE CONCURS IN AMENDMENTS TO SB 304,
RECALLED FROM THE GOVERNOR**

He also informed the Senate that the House has concurred in amendments made by the Senate to **SB 304**.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

SB 1181 RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 1187**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The **PRESIDENT**. The bill, as amended, will appear on tomorrow's Calendar.

**AMENDMENT TO HB 998 AND 2368, RECALLED
FROM THE GOVERNOR**

He also presented for concurrence **HB998** and **2368**.

Said bills having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bills amended, in which amendments the concurrence of the Senate is requested.

The **PRESIDENT**. The bills, as amended, will appear on tomorrow's Calendar.

**REPORT FROM COMMITTEE ON
EXECUTIVE NOMINATIONS**

Mr. **FLEMING**, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

**MEMBER OF THE BOARD OR TRUSTEES OF
SCRANTON STATE HOSPITAL**

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Scranton State Hospitals:

J. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

James Nocera, 131 Second Street, Old Forge, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

John M. Stirna, 141 School Street, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Michael E. Howard, 2402 Boulevard Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Vincent Yuskiewicz, 1009 South Wyoming Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Daniel J. Galvin, Park Gardens, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Joseph Krempasky, Jessup, Lackawanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

**MEMBER OF THE BOARD OF TRUSTEES OF
PENNSYLVANIA STATE ORAL SCHOOL FOR
THE DEAF**

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edgar Sebastianelli, Rear 446 Main Street, Eynon, Lackawanna County, for appointment as a member of the Board of Trustees of Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice W. S. Thomas, Scranton, deceased.

DAVID L. LAWRENCE.

**MEMBERS OF THE LAWRENCE COUNTY BOARD
OF ASSISTANCE**

October 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Lawrence County Board of Assistance:

Mrs. Margaret Jennings Uber (Democrat), New Castle, Lawrence County, from June 21, 1957, until December 31, 1959, and until her successor is duly appointed and qualified.

Peter Genova (Democrat), Bessemer, Lawrence County, from January 1, 1959, until December 31, 1961, and until his successor is duly appointed and qualified.

Mrs. Geraldine G. Westlake (Democrat), 2809 Princeton Avenue, New Castle, Lawrence County, until December 31, 1961, and until her successor is duly appointed and qualified, vice Ralph H. Ramsey, New Castle, whose term expired.

DAVID L. LAWRENCE.

**MEMBER OF THE BOARD OF TRUSTEES OF
DIXMONT STATE HOSPITAL**

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Board of Trustees of Dixmont State Hospital, from June 21, 1957, for the term of four years and until her successor is appointed and qualified:

Genevieve W. Settino, Esq., Ambridge, Beaver County.

DAVID L. LAWRENCE.

**MEMBER OF THE BOARD OF TRUSTEES OF
SLIPPERY ROCK STATE TEACHERS' COLLEGE**

March 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Emma Guffey Miller, Slippery Rock, Butler County, for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Messrs. **RIPP**, **KOPRIVER, JR.**, **MCGINNIS**, **BARR**, **FLEMING** and **SARRAF** presented to the Chair **SB 1261**, entitled:

An Act providing that certain highways, bridges, viaducts and approaches thereto shall be periodically established as State highways, and requiring their construction, repair and maintenance by the Commonwealth.

Which was committed to the Committee on Rules.

Mr. RIPP presented to the Chair **SB 1262**, entitled:

An Act amending the act of May 23, 1956 (P. L. 1662), entitled "An act authorizing the Department of Property and Supplies to acquire, by gift, ninety-three acres, more or less, of land with buildings thereon in the City of Pittsburgh, Allegheny County, for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with tuberculosis; and making an appropriation," extending its provisions to all persons suffering of suspected of suffering from tuberculosis.

Which was committed to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President and Members of the Senate, I have been around Harrisburg for a long, long time and I felt that I knew just about all the angles and the operation of the various departments of government.

However, Mr. President, last week I had the pleasure of meeting with a group of mothers who are the mothers of severely handicapped children. I was informed by this group that due to the severity of their handicap, both mentally and physically, a number of these children were not eligible for any of the benefits of special education which is operated by the Department of Public Instruction.

In further checking on their problems, I found that these people, who are of moderate means, have endeavored to set up their own clinic to provide therapy for these handicapped children. As a matter of fact, in Charleroi, they had donated to them a building which was formerly owned by the Vesta Coal Company. They have begged the clinics and hospitals for some of the necessities which they could use in their clinic. At the present time, the medical profession is providing them with free consultation and services.

If ever there was a deserving appropriation, I believe this is it. These people are dedicated to trying to rehabilitate their own children. I had the pleasure of talking with a few of these children. I found that they are severely physically handicapped. However, I do not think they are so severely handicapped in so far as their mentality is concerned.

I do think the Commonwealth of Pennsylvania, the Members of this Senate and the Members of the House, should take into consideration the sacrifices these people have made over the years. They are doing everything on their own initiative. They did not request me to sponsor this legislation. I told them that I would tell their story to the Senate of Pennsylvania.

Therefore, Mr. President, I read in place and present to the Chair an appropriation bill which would appropriate the sum of \$10,000 to the Foundation for the Severely Handicapped Children of the Monongahela Valley, located in Charleroi, Pennsylvania.

BILLS INTRODUCED AND REFERRED

Mr. LANE presented to the Chair **SB 1263**, entitled:

An Act making an appropriation to The Foundation for the Severely Handicapped of the Monongahela Valley, Inc., Charleroi, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WHALLEY presented to the Chair **SB 1264**, entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law," adding a certain route in Somerset County.

Which was committed to the Committee on Rules.

REPORTS FROM COMMITTEE

Mr. CHAPMAN, by unanimous consent, from the Committee on Appropriations, rereported as committed, **SB 136, 727 and 794**.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented bills of the House as follows:

HB 2048, 2455 and 2456, which were referred to the Committee on Rules.

SENATE CONCURRENT RESOLUTIONS

RECALLING **SB 1106** FROM THE GOVERNOR

Mr. EHRGOOD offered the following resolution, which was read, considered and agreed to:

In the Senate, November 30, 1959.

Resolved (the House of Representatives concurring), That **Senate Bill No. 1106**, Printer's No. 1316, entitled "An act amending the act of April 12, 1951 (P. L. 90) entitled 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board, providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant, prescribing penalties and forfeitures, providing for local option and repealing existing laws' changing the limit on retail licenses," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FEASIBILITY OF COMBINING OR MERGING THE JURISDICTION AND/OR THE PERSONNEL OF THE COUNTY COURT OF ALLEGHENY COUNTY AND THE MUNICIPAL COURT OF PHILADELPHIA COUNTY WITH THE COURTS OF COMMON PLEAS OF SAID COUNTIES

Mr. FLEMING offered the following resolution (Serial No. 122), which was read and referred to the Committee on Rules:

In the Senate, November 30, 1959.

The County Court of Allegheny County and the Municipal Court of Philadelphia County are unique, in that these Courts were created by statute for the conduct of legal proceedings which, in other counties of our Commonwealth, are conducted by courts provided for in our Constitution.

In order to bring about a more uniform method of conducting legal proceedings and to eliminate the possibility of duplication of function and resultant additional expense in maintaining these statutory courts, it is deemed important that a thorough study be conducted to determine whether there is sufficient justification for the continued existence of such courts, or whether it would be advisable to combine or merge the County Court of Allegheny County and the Municipal Court of Philadelphia County with the Courts of Common Pleas; therefore, be it

Resolved (The House of Representatives concurring), That the Joint State Government Commission is hereby directed to make a study of the feasibility of combining or merging the jurisdiction and/or the personnel of said County Court of Allegheny County and the Municipal Court of Philadelphia County with the Courts of Common Pleas of said counties, and of the desirability of establishing court administrators in such counties; and be it further

Resolved, That the Joint State Government Commission make a report of its findings and recommendations, together with drafts of such legislation as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly.

ADVISING OF REQUEST FOR RULINGS BY THE CHAIR

Mr. MAHADY. Mr. President, I desire to have this on the record and to notify the Chair of two objections I will make and ask for rulings on **House Bill No. 1344**, on page 19, of today's Calendar. I think, in the interest of clarification, these two rules should be clarified in this body.

The first is in regard to a bill which is reported from one of the regular standing committees and a motion has been made to recommit it. In particular, this is in reference to **House Bill No. 1344** which was recommitted to Rules Committee. When the bill comes up, I will ask the Chair whether or not that is proper procedure.

Number two: In connection with the same bill, I raise the question of whether or not a bill which was a repealer, and a repealer only, can be so amended as to change the original purpose of the bill and to enlarge the statute statute rather than repeal it.

I call the Chair's attention to a decision on page 126, Section 2 (h), of the 1957-1958 Pennsylvania Manual. In the 1953-1954 edition, a similar decision appeared on page 505, No. 13. In the 1953-1954 edition, on page 524, No. 19 and No. 20, "Decisions of the House," there also appear rulings on this same matter.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

EXECUTIVE SESSION

A motion was made by Mr. Fleming and Mr. BLASS, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

The nominations were read as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Board of Trustees of Scranton State Hospital:

J. Clewell Ottinger, 735 Prescott Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

James Nocera, 131 Second Street, Old Forge, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

John M. Stirna, 141 School Street, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Michael E. Howard, 2402 Boulevard Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Vincent Yuskiewicz, 1009 South Wyoming Avenue, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Daniel J. Galvin, Park Gardens, Scranton, Lackawanna County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Joseph Krempasky, Jessup, Lackawanna County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edgar Sebastianelli, Rear 446 Main Street, Eynon, Lackawanna County, for appointment as a member of the Board of Trustees of Pennsylvania State Oral School for the Deaf, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice W. S. Thomas, Scranton, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE LAWRENCE COUNTY BOARD OF ASSISTANCE

October 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for the appointment as members of the Lawrence County Board of Assistance:

Mrs. Margaret Jennings Uber (Democrat), New Castle, Lawrence County, from June 21, 1957, until December 31, 1959, and until her successor is duly appointed and qualified.

Peter Genova (Democrat), Bessemer, Lawrence County, from January 1, 1959, until December 31, 1961, and until his successor is duly appointed and qualified.

Mrs. Geraldine G. Westlake (Democrat), 2809 Princeton Avenue, New Castle, Lawrence County, until December 31, 1961, and until her successor is duly appointed and qualified, vice Ralph H. Ramsey, New Castle, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

August 3, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following person for reappointment as a member of the Board of Trustees of Dixmont State Hospital, from June 21, 1957, for the term of four years and until her successor is appointed and qualified:

Genevieve W. Settino, Esq., Ambridge, Beaver County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
SLIPPERY ROCK STATE TEACHERS' COLLEGE

March 17, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Emma Guffey Miller, Slippery Rock, Butler County, for reappointment as a member of the Board of Trustees of Slippery Rock State Teachers' College, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarrafi, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

SENATE RESOLUTION

TO DISCHARGE COMMITTEE ON MINES AND MINERAL INDUSTRIES FROM FURTHER CONSIDERATION
OF SB 213

Mr. LANE, by unanimous consent, offered the following resolution which was read as follows:

In the Senate, November 30, 1959.

Resolved, That Senate Bill No. 213, Printer's No. 227, entitled "An act amending the act of May 31, 1945 (P. L. 1198) entitled 'an act providing for the conservation and improvement of land affected in connection with the mining of bituminous coal by the open pit mining method, regulating such mining and providing penalties', increasing the amount of certain bonds, providing for backfilling and changing the requirements as to the covering of the exposed face of the unmined coal," having been

referred to the Committee on Mines and Mineral Industries on February 9, 1959 and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

MOTION TO ADOPT RESOLUTION

Mr. LANE. Mr. President, I move that the Senate adopt this resolution.

Mr. McCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I would ask my colleagues to oppose this discharge resolution. I also wish to state certain reasons that have come up during discussion of this matter.

This bill, I understand, has been referred to a subcommittee, and has not yet been reported back to the Committee on Mines and Mineral Industries. However, I want to assure the gentleman that some of us are interested in the consideration of this bill, and we hope and believe that the committee will give it further consideration. The subcommittee, I believe, spoke about this just a few days before the last recess and, I believe, the regular committee will receive the bill for consideration within the next day or two.

Mr. LANE. Mr. President, this legislation was sponsored by Senator Blass and myself on February 9, last. At the time that the committee held their meeting, I had the privilege of stopping in there for a few moments, since I am not a member of the committee, and I discussed this in detail with the chairman and he did place it in the hands of a subcommittee. As a matter of fact, they were supposed to contact, I believe, the Secretary of Mines and Mineral Industries and some of the other executives in State Government.

However, I believe you can appreciate my position. I feel that this legislation is a must at this Session of the Legislature because, Mr. President, what has happened in western Pennsylvania is that the strip mine operators have gone in, bought the coal, torn up the terrain, removed the coal and then walked out, leaving huge gullies, ditches and unsightly landscape throughout western Pennsylvania.

Mr. President, they have also destroyed property values. By that statement, I mean that after they finish their stripping, the owner of the land comes to the county and asks for a decrease in the assessed valuation, due to the fact that they have terrain which is unsightly and of no value. The people who own homes in that area, who may have invested thousands of dollars, also suffer.

All we are doing under the provisions of this bill is providing that the bond be increased from \$300 to \$450, that they do the backfilling properly and that, in addition, they provide for the sowing of seed and replanting in order to make our land a nice place.

Mr. President, I have the support of a number of coal industries for this legislation. As a matter of fact, Mr. Hillman, one of the largest operators in western Pennsylvania, wrote me a letter sometime ago in which he stated that this was good legislation, it was needed and it should be passed by this Legislature.

I feel that we probably might adjourn not long from now. I do not know, but I imagine so. I feel that we should have some action on this bill. I have sent copies of an analysis of this legislation to every member of the committee and the subcommittee. I have heard no criticism whatsoever.

This is not going to hurt the strip mining operators. If they cannot afford to place a \$450 bond per acre, then they cannot afford to be in business, and I have not yet seen one of them who has gone broke.

All we want is a fair and just break for the taxpayers living in Pennsylvania, especially in the western part of the State where we have these unsightly conditions. We are never going to encourage and get new industry if we continue to have rock piles and gullies, filled with sulphur water, where children might drown. I feel that this is only fair. I do not want to discourage industry. I am in favor of it. I am in favor of strip mines. I am in favor of bituminous coal and I am in favor of steel. However, I do say that they must assume their responsibility.

Senator Berger, I am happy to hear you make that statement. You should instruct your colleagues to vote "aye." Let us bring this bill out, because it is not going to hurt anyone.

Mr. FLEMING. Mr. President, there is no one in this Chamber more in back of any movement to control strip mining operations in Pennsylvania than I am. I have been an ardent advocate of it for many, many years, both in the Senate of Pennsylvania and in the House of Representatives.

However, I would suggest to Senator Lane—and I would be one of the first to admit that he, also, is an ardent supporter of some necessary regulatory measures that must go into effect—that mentioned only the bond. I would mention that if we get a definition of "abandonment and completion," we will have gone a long way in controlling the strip mining operations.

I thoroughly agree with Senator Lane that there are some operators who do a splendid job of restoration, such as Mr. Hillman in Allegheny County, who mines in Senator Lane's county of Washington and in Greene County. I am happy to say we have an operator in our own Senate who does an equally fine job of restoration, Senator Whalley.

I am sure there are many Members on this side of the Senate who want to control that. We are anxiously awaiting the report of that subcommittee, which is studying not only Senate Bill No. 213 but House Bill No. 1457. This bill possibly is not quite as severe as your Senate Bill No. 213, but which has passed the House.

I know that Senator Koprivier has been after the subcommittee to make a report to the full committee. Unfortunately, the chair of that subcommittee, Senator Kromer, is ill today at his home. It is our hope that he comes back soon. Certainly, we should wait until that subcommittee does report back on those two bills to the general committee, and let them have an opportunity to again consider them. I join with as much fervor as you, Senator Lane, in hoping that the committee will report one of those two bills to the floor of this Senate for appropriate action.

However, I do not feel that this is the right time to

offer a discharge resolution on a bill that is in the hands of a subcommittee. Certainly, I could not support such a resolution at this time. I would respectfully suggest to Senator Lane that he withdraw his discharge resolution, pending the arrival of Senator Kromer in the Senate Chamber.

Mr. LANE. Mr. President, I am very sorry to hear that Senator Kromer is ill at home. However, it seems to me that this legislation will never see the light of day at this Session, because I believe that the subcommittee was appointed in March or April. I took the trouble to then have an analysis made so there would be no misunderstanding. Now, here it is December. I feel that we probably may adjourn to go into Session in January, and that will end this Regular Session. Unless I insist upon the passage of this resolution today, I know, you know, every Member of this Senate knows, and every newsman knows also, that this legislation will not see the light of day. I do not suppose that this resolution will pass either, because the other side feels that we should not discharge a committee.

However, it is the only alternative I have, and I must insist that we have a vote on this matter. Let us stand up and be counted because they have plenty of time. If the subcommittee was appointed in March or April, you know very well that they have had a long time to consider Senate Bill No. 213. I know they have received a favorable report from the Department of Mines and Mineral Industries because the department is in support of the legislation.

Therefore, let us have the vote.

Mr. BLASS. Mr. President, I, as a cosponsor of this bill, must join with Senator Fleming in his remarks, and vigorously oppose discharge of the committee on the absence of Senator Kromer.

I think the resolution is ill-timed. Therefore, I would respectfully ask, as a cosponsor of the bill, all of my colleagues to vote against the discharge of this committee.

Mr. KOPRIVER, JR. Mr. President, it is true that some months ago I appointed Senator Kromer as chairman of the subcommittee to look into Senate Bill No. 213 and House Bill No. 1457.

I have traveled probably over half of Pennsylvania, as Chairman of the Committee on Mines and Mineral Industries, to see both sides of this problem.

I also want to say that I am in favor of strip mining control and I think we should give consideration to the bill at this time, if possible. During the investigations of the committee, as its chairman, I found places in the Commonwealth where they had, by local ordinance, a \$5,000 bond to put up per acre so that the land would be restored to its original contour. If it can be done in a township, in Penn Hills, Allegheny County, it can be done any place in Pennsylvania.

I think it is high time that the township commissioners and supervisors take advantage of home rule and stop this unnecessary plundering of strip mining.

This bill, itself, would not correct the problem before us, because it is the strip mining which occurred during the war that we see along the highways of our Commonwealth. I understand, from the Secretary of Forests and Waters, that under the present law they are doing a

good job. They have planted 20,000,000 trees in the last four years.

Certainly, I am not favor of voting for this discharge resolution, and I ask my colleagues to vote against it.

Mr. LANE. Mr. President, may I just make a few brief remarks and then I will sit down?

It is true that over 20,000,000 trees have been planted in Pennsylvania. They have been planted by the responsible strip mine operators, such as Mr. Hillman and others. This legislation is aimed at the fly-by-night operators who are still in business here in Pennsylvania. The responsible operators do not oppose this legislation. I want that to be made distinctly clear. We are not hitting at the responsible operators, because they are in favor of this type of legislation. We are looking for the fly-by-night operators who are doing a terrible job so far as strip mining is concerned. They are the ones who are not replanting, who are not refilling and who are not fulfilling their responsibilities.

I repeat, Mr. President, and ask for a roll call on this resolution.

Mr. MAHADY. Mr. President, I also request a roll call.

Mr. BERGER. Mr. President, before proceeding with the roll call, I want to say that I believe all of us, certainly on this side and I am sure on the other side, are heartily in favor of the restoration of the terrain after strip mining operations are conducted on it. However, I do want to just mention to Senator Lane that I think he inadvertently made a request which he knew I could not fulfill and that was for me to instruct my colleague to report this bill out of committee and vote for it. Mr. President, I simply want to go on record as saying that is a little beyond my power. We do not instruct the Members over here; we ask them.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. LANE and Mr. MAHADY, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silver, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative.

REPORTS FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported as committed, **HB 594, 2063 and 2359.**

He also, from the Committee on Rules, reported as amended, **HB 1322.**

SENATE CONCURRENT RESOLUTION RECALLING SB 1133 FROM THE GOVERNOR

Mr. BERGER offered the following resolution, which was read, considered and agreed to:

In the Senate, November 30, 1959.

Resolved (if the House of Representatives concur), That **Senate Bill No. 1133**, Printer's No. 1584, entitled "An act amending the act of August 21, 1953 (P. L. 1254) entitled 'An act establishing a uniform fee for services of recorders of deeds in counties of the third, fourth, fifth, sixth, seventh and eighth classes' changing certain fees fixed by the act," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM FURTHER CONSIDERATION OF **HB 1941**

Mr. MAHADY, by unanimous consent, offered the following resolution, which was read as follows:

In the Senate, November 30, 1959.

Resolved, That **House Bill No. 1941**, Printer's No. 1058, entitled "An act amending the act of April 9, 1929 (P. L. 177), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined,' creating the State Council of Higher Education as a departmental administrative board in the Department of Public Instruction; defining its powers and duties; transferring certain duties to the State Council of Higher Education of the State Council of Education; and defining and coordinating functions of the two councils," having been referred to the Committee on Rules on September 9, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

MOTION TO ADOPT RESOLUTION

Mr. MAHADY. Mr. President, I move that the Senate adopt the resolution just read by the Clerk.

Mr. McCREESH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I would oppose this discharge resolution. The bill presently is in the Rules Committee, and I will say that there has been exerted a great deal of pressure to have it reported out of committee and a great deal of pressure to have it remain in committee.

Mr. President, at the moment, it seems to be a controversial subject and one which I believe should receive a little more deliberation before we adopt the legislation.

Consequently, Mr. President, I ask my colleagues to oppose this resolution.

Mr. MAHADY. Mr. President, the other day, Senator

Elliott outlined, in a very brilliant and detailed manner, many of the problems which arise in colleges and which we will be confronted with in the next decade.

Mr. President, the full purpose of this bill is to create a State Council of Higher Education, as a departmental administrative board in the Department of Public Instruction. It is to be composed of the Superintendent of Public Instruction, as an ex officio member, and nine members to be appointed by the Governor, with the advice and consent of the Senate.

It seems that the only sole objection which I can determine, when we remove all the frills, is the fact that the Governor will appoint the nine members of the board. There is no question about the fact that education, in my mind, is not a partisan matter. I am sure that on the question of education, the present Governor certainly considers it a nonpartisan matter.

As to the need for this board, the great majority of the Council of Education is constituted of members who are engaged primarily in high school work and below. There is no place where the colleges can go with their problems in order to be treated, as we say in the law, by the judgment of their peers. There is no question about the fact that college problems should be considered by people who have dedicated their entire lives to the problems of colleges; namely, the problem of scholarships, the problem of the quality and quantity of work and all other problems involving colleges should be as to a separate committee.

The question of co-ordination is adequately taken care of in the bill, between the present board and the newly created board. The Secretary of Education is explicitly charged with the co-ordination of these two boards.

On its merits, this bill deserves consideration above and beyond political consideration. There is no one in this room who would deny—if they will take the time to study the problem—even the basic concept which is involved in it; that the colleges shall be run by colleges and that we shall not keep the board that we had back in the 1870's when we had very few problems and very little demand for a college education, and when high schools were a must for everyone. Today, colleges are a must for everyone. They should be given the consideration, the attention and, I would say, your vote in order for them to be able to run and co-ordinate and advance with the advancement of this century.

And the question recurring,
Will the Senate agree to the motion?

REQUEST FOR RULING BY THE CHAIR

Mr. VAN SANT. Mr. President, this is probably an old issue, but again I would like to know and I would like a ruling on whether a vote for or against this resolution constitutes a vote for or against the bill.

The PRESIDENT. The Chair has already ruled on that question. I think the interpretation of a Member's vote must necessarily be left to his own conscience. The Member's own conscience must be interpreted by his constituents as they see fit.

It would be impossible for the Chair, on any ruling, to clarify that subject to any extent.

Mr. VAN SANT. I thank the Chair.
And the question recurring,
Will the Senate agree to the motion?

The yeas and nays were required by Mr. MAHADY and Mr. McCREESH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative.

BILL INTRODUCED AND REFERRED

Messrs. KOPRIVER, JR., FLACK and CONFAIR, by unanimous consent, presented to the Chair SB 1265, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

Which was committed to the Committee on Aules.

REPORT OF COMMITTEE OF CONFERENCE ON HB 2319

Mr. VAN SANT submitted the Report of Committee of Conference on HB 2319, which was laid over for printing under the rules.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

HB 1572—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 107—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to SB 107.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 118—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 139—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 139**.

Mr. BLASS. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mallery, | Sarra, | Watkins, |
| Elliott, | McCreesh, | Scott, | Weiner, |
| Flack, | McGinnis, | Seyler, | Whalley, |
| Fleming, | McMenamin, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 453—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 785—Mr. BERGER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to **SB 785**.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1043—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 1220—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 1220**.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |

| | | | |
|----------|------------|---------|----------|
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1238—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

REPORT OF COMMITTEE OF CONFERENCE

HB 505—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 505**, entitled:

An Act amending the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304) extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|-----------------|----------|------------|
| Berger, | Hays, | Miller, | Stevenson, |
| Blass, | Kalman, | Mullin, | Stiefel, |
| Camel, | Keller, | Murray, | Taylor, |
| Chapman, | Kessler, | Pechan, | Van Sant, |
| Confair, | Koprivier, Jr., | Probert, | Wade, |
| DiSilvestro, | Kromer, | Rooney, | Wagner, |
| Donolow, | Lane, | Ruth, | Walker, |
| Ehrgood, | Madigan, | Scott, | Watkins, |
| Elliott, | Mahady, | Seyler, | Weiner, |
| Flack, | Mallery, | Shafer, | Whalley, |
| Fleming, | McCreesh, | Silvert, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—4

| | | | |
|-------|-----------|-------|--------|
| Barr, | McGinnis, | Ripp, | Sarra, |
|-------|-----------|-------|--------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

PERMISSION TO ADDRESS SENATE

Mr. RIPP asked and obtained unanimous consent to address the Senate.

Mr. RIPP. Mr. President, I would like to say a few words in regard to the vote on the Report of the Committee of Conference on House Bill No. 505.

You will note that the bill passed the Senate with a vote of forty-six in favor of the bill and four votes against the bill. You will also note that the four Democratic Senators, from Allegheny County, voted against this bill. We have had a good, workable county health unit in Allegheny County for a few years now. The Allegheny County health officials are doing an admirable job of protecting the health of its citizens.

The amendments set forth in the Conference Committee Report cannot be helpful to the health of the majority of our citizens. A small minority of one per cent of the highest total vote of the people who voted at the last municipal election, which can be as low as one-half

per cent of the electorate, can petition to eliminate and work for the abolition of this fine agency so that selfish groups can lobby, by way of misinformation, to bring up the old bugaboo of socialized medicine.

We four Democratic Senators are for the average man and for proper health protection. In the short, few years of its existence, the Allegheny County Health Department gave all the people modern medical facilities and the latest laboratory equipment and technicians, which were not available in the past. The people are just now beginning to appreciate and to take advantage of this modern Health Department, staffed with experts and trained medical personnel. The present effective Health Department of Allegheny County must not be allowed to be stymied by the proposed legislation just voted on. We must remember the old, inefficient, ineffective, haphazard local health departments, manned by inexperienced personnel, many times with no more than a high school education. In Allegheny County, in the past, we could not even get a water analysis before the new Health Department was set up with its modern facilities.

For that, and for many other reasons, we in Allegheny County are opposed to any legislation, such as is inherent in the referendum provision in House Bill No. 505, which would amount to even a possible threat to the continued growth and advancement of its fine Health Department. We Democratic Senators from Allegheny County, therefore, voted against the Report of the Conference Committee on House Bill No. 505.

PERMISSION TO ADDRESS SENATE

Mr. FLEMING asked and obtained unanimous consent to address the Senate.

Mr. FLEMING. Mr. President, regarding the Report of the Conference Committee on House Bill No. 505, on which we just voted and there was a vote of forty-six to four in favor of its adoption, I listened with a great deal of interest to my colleague's reasons for the four Democratic Senators from Allegheny County voting against it.

I would draw to the attention of the Chamber and to the Senators that on November 17, 1959, by a vote of fifty to nothing, House Bill No. 505 passed the Senate of Pennsylvania. At that time, a provision was in the bill which was inserted by the Senate, but was inserted, as the Senator says, to provide for a referendum vote at any time by a one per cent petition of the electorate. The House refused to concur in that amendment. A Conference Committee was appointed and I was one of the three conferees on the part of the Senate.

Certainly, it was deemed advisable to get this bill passed by the Legislature at this Session. The conferees came to an agreement that after any health unit—regardless of in which county it was located—was in operation for a period of five years, then by a petition of one per cent of the registered voters, a referendum could be placed on the ballot for acceptance or rejection by the citizens of that particular county.

I would draw to the Senator's attention, and to his colleagues from Allegheny County, that our county health unit has been in effect since 1957. A five year period added onto that would bring it to 1962 before this could possibly be submitted to the voters for their acceptance

or rejection. I think it is a pretty fine compromise on a most important bill that did have as its primary intent to include Philadelphia County in the county health unit reimbursement feature. Certainly, a five year period does make the bill far more palatable.

I would suggest to Senator Ripp, and to his three colleagues from Allegheny County, that if the bill is wrong now, as the Conference Committee has reported it, it was certainly ten times worse on November 17, 1959, when all four of them voted for the measure. Where was that voice of protest then when they did not draw to the attention of the Senate of Pennsylvania that there was something wrong with the bill?

I believe that the bill possibly could be further amended. However, I would draw to the attention of Senator Ripp, and to all of the Members of the Senate, that in 1961, one year before it is possible for the question to be placed before the voters of Allegheny County particularly, an amendment can be offered, if that one per cent of the electorate is not enough, to raise the percentage.

This report of the Conference Committee, on the part of the Senate, was the best that we could put forward in order to get the bill passed, and in order to have other Senators from all parts of Pennsylvania vote for it. It was the best compromise available. I certainly feel that the Senator's remarks are ill-advised when he would attempt to place in the minds of the people the idea that Senator Koprivier and myself were the only other two Senators from the county of Allegheny who did not have at heart the health and welfare of the citizens of that great county.

I assure him, and everyone within the reach of my voice, that Senator Koprivier and myself are as much concerned with the health of Allegheny County and the citizens all over the State of Pennsylvania as they are, and I certainly think objections at this late date come in bad grace.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, House Bill No. 505 was reported from my committee. The bill was reported from my committee and not as it was reported in the Pittsburgh Press sometime ago, to the effect that it came out of the Conference Committee. This bill was reported, as amended, on November 10, 1959. It was on the Calendar for the two weeks that we were in Session. As Senator Fleming brought out, the bill passed by a vote of fifty to nothing.

After the bill had passed, one of the Allegheny County health officials—I believe his name was Doctor Broughton—called me on the telephone and said: "Senator, I think that House Bill No. 505 has a bad feature. We do not necessarily object to a referendum, but we do feel that there are many people who are opposed to county health units and they could, immediately upon the adoption of a health unit, turn around and ask the courts to place on the ballot a referendum to repeal that legislation."

I agreed with him, and I asked him: "Now, what do you think is a fair time to do this?" He said: "I believe a period of five years."

I said: "I am awfully busy today. Will you check it with

Doctor Wilbar, the Secretary of Health, and if that is agreeable, will you get me those amendments so that I can put them in the Conference Committee Report?"

Instead of just the one per cent, as the bill passed by a vote of fifty to nothing, at the suggestion of Allegheny County's own Assistant Health Director, a Doctor Broughton,—I believe that is his name—I offered an amendment making it five years before action could be taken by the electorate of that area or any area. The bill does not refer only to Allegheny County, but any area that has a county health unit.

That very afternoon, the Legislative Reference Bureau delivered to me the amendment which was evidently telephoned to the bureau either by Doctor Broughton or the Secretary of Health, Doctor Wilbar.

I cannot see why the four Democratic Senators from Allegheny would object to that feature. I, in my own area of Butler County, have a health unit just as they do in Allegheny County, and we are just as proud of it in Butler County as they are of theirs. I have never heard one word of opposition from Butler County.

Senator Weiner, who was also a Member of the Conference Committee, did not object to it. I do not know whether he was that happy to get the three million three or not but, nevertheless, we had no objection from Philadelphia County, from Erie County or any of the other counties which have this health unit.

I want to say that you can run for United States Senator or you can run for the Presidency of the United States with only 200 names—I think I am correct when I say that—on the petition. This, at least, requires one per cent. I think this is a much greater requisite than is required for a man to run for the Presidency of the United States or United States Senator. The thing is this: That if some of these counties do want to get out of the health unit, we must have some kind of legislation which will allow them to do it.

For that reason, this amendment was offered, even though the Pittsburgh Press said that Senator Pechan co-sponsored antihealth bills. I want all the Pittsburgh Press, or anyone else in Pittsburgh, to show where Al Pechan ever once supported an antihealth bill.

I want to say one more thing. I did cosponsor Senate Bill No. 116. Again, as you know, the Pittsburgh Press loves to call Senate Bill No. 116 the "Dirty Milk Bill."

Senator Ripp brought out that we have many health secretaries who do not have a high school education. I want, for Senator Ripp's edification, to tell him that in my home community of Ford City we have such a person who never had a high school education. The secretary of health there is a former street commissioner. For that reason, Senate Bill No. 116 provided for milk control legislation. The only thing that bill was to do was to see that one body controlled how, where and under what conditions milk shall be sold in various communities. We have some 900 various political subdivisions in the Commonwealth, and if 900 different secretaries of health tell you how you shall sell milk, everyone would have to go into one of our institutions. I am about ready to be committed after hearing some of this stuff that has been going on.

I want to say further that I was burned up when I read an editorial from the Pittsburgh Press. I realize that I am giving them some free advertising. However,

when Senate Bill No. 116 was before us, and that particular paper carried the story, I offered to amend out any of those counties which already had a good health unit or else remove it from the Department of Agriculture and put it into the Department of Health. I just wanted to give it some rhyme or reason by putting it into some one particular department. The paper carried the story, but evidently they were shortsighted and forgot about that.

When I found that my colleagues, not only on this side of the aisle but on both sides of the aisle, could not support this legislation, it was Al Pechan who made the motion to recommit that bill.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I believe that the two gentlemen who just spoke are certainly entitled to an answer to the question they have raised here. I do not want to belabor this matter to an undue length. However, last week or the week previous thereto, the members of the press either did not know or chose to ignore the fact that once this bill passed in the Senate, it would have to go back to the House, and the amendments either concurred in or nonconcurred in and then some action would be taken from that point. Ignoring that basic fact, they proceeded to exert pillory upon me and anyone else who probably came to hand in the Pittsburgh Press. It not only was unfair, but it certainly was not commensurate with the facts as they appeared.

I think we should state what House Bill No. 505 really is so that everyone understands it. This bill, for the first time, took the one county of the sixty-seven which was excluded out of the county health code,—namely, Philadelphia County—and put it back in so that it now participates under the county health code. The money that was given to Philadelphia amounted to a nullity and would be absolutely nothing as far as the sum they received without this legislation is concerned. There had to be three corrections; one made in the large bill putting the money back, another one correcting the verbiage in the bill, and this bill enabling us to actually participate in this fund.

After this bill came from the House and was reported from committee with this amendment, which might have been very well put in—I do not know; I am merely guessing at it—by people who were not very happy with the county health programs, it might have seemed to be a way to help do away with them in some areas where they were unhappy with the county health programs. I was unhappy with the small percentage needed because, unlike Senator Pechan, I feel that maybe you need a small number of people to run for the United States Senate, which may or may not be important. However, I do think it is important when you have expended a great deal of money to establish a county health program, both by the county and the State, and then you suddenly do away with it by placing it on the ballot with same other important issues. I think you put this type of a situation into deep jeopardy by using a small number of people. I am not so sure that that is a real problem because you can probably get names for any kind of a petition if you are just persistent enough in doing it.

However, the position taken here by the members of the Allegheny County delegation was that they realized this matter had to go back to the House where they have some influence, and they felt in that area they could make themselves heard and make themselves felt. It was then that we had the amendments prepared to make the five year limitation, and we put them in at that point. To pursue all of the other areas might have jeopardized the entire measure and put Philadelphia completely out of the pale of receiving the money that had already been given to them.

I do feel that the newspapers were a little bit unfair in their reporting if they felt that someone here had some sinister purpose in perpetrating this type of measure or was trying to hurt anyone. That was not anyone's purpose. It certainly would not have been my purpose, despite what they might have heard or people might have said in connection with my name. It was not my purpose to try to hurt Allegheny County or anybody else.

This may be something that should be thought about. If you want to have a referendum, I think you should allow people to petition to have this put on the ballot. If you are against the referendum and want to make it more difficult, then you should raise the percentage.

The important fact is that you cannot put a county in jeopardy after they have expended the money and hired the personnel to do the job. It may have been a great expense to them. It may have been a great deal of trouble to go out and get the personnel to man these types of activities. I think the five year limitation, although that might not be the answer, in a sense, insulates it from happening very often.

Also, possibly in future Sessions of the Legislature, this whole matter might be reviewed, and perhaps this will be subject to further change. I do not know the answer to that. I presume it might be changed. For that reason, I feel that the Members from Allegheny County were anxious to give this bill a fair run, a fair trial, and that is why they voted on it so it would go over to the House where they would have another opportunity to have a look at it and possibly a second bite at the same apple.

That was the reason, Senator Pechan, they did vote for it and they did send it back to the House. They felt that they had not gotten everything they could possibly get out of the Conference Committee. This is a large body. There are fifty Members here who represent many segments of the population and many segments of this State. That being the case, they felt they wanted to, at least, go along with some of the other segments and not jeopardize their positions.

PERMISSION TO ADDRESS SENATE

Mr. KOPRIVER, JR. asked and obtained unanimous consent to address the Senate.

Mr. KOPRIVER, JR. Mr. President, I do not want to prolong this matter any longer, but I think it is a little late for Senator Ripp to inform the Senate why the four Democratic Senators from Allegheny County voted against this bill.

I want to remind the Members of the Senate that Senator Barr, Senator McGinnis, Senator Saraff and Senator Ripp live in Pittsburgh. Senator Fleming and I live in the suburbs of Pittsburgh in Allegheny County.

Senator Pechan assured me that the Allegheny County

Health Department was perfectly satisfied with the five year limitation amendment. I have been a whipping boy to the County Health Unit in Allegheny County for a long time. I have broad shoulders and I shall continue to take it. Maybe I understand better because I am the Mayor of Duquesne, along with being a Senator. However, no one had better tell me that we have better health services in Duquesne today than we had when we had our own, because we do not. I will tell you what Doctor Broughton is doing about our section of Allegheny County. He takes reports from the district leaders. I know we have a wonderful Public Health School at the University of Pittsburgh. However, what gripes we above all is that the County Commissioners had a right to give the people of Allegheny County a chance to vote, whether they wanted to or not, either by referendum or by resolution.

I fought for the mass transit bill the same way. That is why I feel as I do toward the county health unit system in Allegheny County. I know for a fact that Senator Ripp has in his District one township that is trying to get out of the County Health Department. I have two in my District that want to get out. I did not ask for it any more than he asked for it, but if the people want it, they should have the right to say whether they want it or not. I believe in home rule. You can talk about home rule and you can call it all kinds of names, but it is still home rule. Let the people at home know what is going on. Let them make the decision as to whether they want it or not.

REPORTS OF COMMITTEES OF CONFERENCE

HB 1207—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2218—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 2218**, entitled:

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL INTRODUCED AND REFERRED

Mr. FLEMING, by unanimous consent, presented to the Chair **SB 1266**, entitled:

An Act requiring certain authorities to grant the right to political subdivisions to flush their fire hydrants.

Which was committed to the Committee on Rules.

THIRD READING CALENDAR

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING

SB 413 and **663**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 725—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. ROONEY, by unanimous consent, offered the following amendments:

Amend Title, page 1, second line of Title, by inserting after "Commission": "in the Department of Justice"; Amend preamble, page 1, first to last lines of preamble; page 2, first to seventh lines of preamble, by striking out all of said lines: Amend Sec. 1, page 2, line 1 by inserting after "created": "in the Department of Justice." Amend Sec. 2, page 2, lines 7 and 8 by striking out "Pennsylvania Council of Juvenile Court Judges and approved by the Chief Justices" and inserting: "Chief Justice"; Amend Sec. 4, page 3, line 16 by striking out "neglected and dependent"; Amend Sec. 4, page 4, line 4 by striking out "and" where it appears the first time; Amend Sec. 4, page 4, line 4 by inserting after "compile": "and publish"; Amend Sec. 6, page 4, line 14, by inserting after "the" where it appears the first time: "Department of Justice for the use of the".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

HB 871—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I certainly hope that this is the last bill for amber, green, red or purple lights for this Session. I think this is about the tenth bill on amber or green lights that we have had. However, I will admit that these are flashing lights and the others were not.

Mr. BERGER. Mr. President, I would like to explain that this bill is a safety measure, as the sponsors of it have instructed me. However, I was informed, from information received regarding the very, very, tragic accident which occurred in Schuylkill County, that had this school bus carried two flashing lights in the rear, instead of one which was invisible because of the intervention of the truck, it is quite possible that this accident would not have occurred.

This bill does not require, Mr. President, the existing

buses to be so equipped. However, as they come along, they will have to have two lights. I understand they are being delivered in that way.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 900—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 976—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I think this is a bad piece of legislation. I think we are making a mistake by passing this type of bill, dealing with unexpended funds. I think this could very well be the vehicle for paving the way for other institution, in other areas, to come back for the same thing.

This would allow a lapsing of fifty per cent of the unexpended funds which are appropriated to the schools for repair and maintenance of buildings. If they do not use these funds, they get fifty per cent of them back to use in further maintenance or whatever else may be needed. This is done under the guise or the alleged explanation that many jobs are not finished and many contracts are not done and they still need this money.

I would suggest to the schools that if they are going to take State money, they should be very careful how they handle it. Once they have contracted for whatever job there is, they should set aside this money, much the same as a reserve fund or, as most people who handle their money judiciously, by putting the money aside for work already contracted. I think, in effect, this would usurp budgetary control of the Administration. You would have to now take each school as it came forward and to find out how much money it is holding, in order to determine how much you are going to give it the next time around. You would also find that the schools would have to keep a rather complex system of bookkeeping in order to find out how much money is unexpended, how much they are going to expend or what their problem is. If they did not finish out a contract and have enough money, would they then come back to the Commonwealth and ask it to make up the deficit? I think this is bad and I also

think this is creating special little funds for each of the schools. I do not think that fits in with good accounting practices.

Mr. KESSLER. Mr. President, I am sure that the Minority Leader recognizes the fact that about fifty per cent of the total funds for operating the State Teachers' Colleges, is supplied by the students. Many a superintendent of a State Teachers' College, who tried to conserve his resources in order to make some necessary repairs, and delayed those perhaps toward the end of the biennium to make sure that he had the funds to do so, found that the Administration required his funds to be lapsed. They do not lapse fifty per cent of them; they lapse the entire amount. It seems to me that we are asking the students of the State Teachers' Colleges, by that action, to help support State Government. It seems to me that it is only fair that fifty per cent of the Money or lapsed funds, at the end of the biennium, be retained by the State Teachers' College because those funds were supplied by the students themselves.

Mr. WEINER. Mr. President, I would have no objection on that basis. However, I have checked this out with the Secretary of the Budget who has written to me about it. His statement is that repairs and maintenance are not a specific appropriation, but are incorporated within the general operation and maintenance. Therefore, the amount of unexpended balance for this specific purpose would be indeterminable. It would also put them in the position where they would not know exactly how much money is in the fund or available for that specific purpose.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

| | | | |
|----------|----------------|------------|----------|
| Berger, | Fleming, | Pechan, | Wade, |
| Blass, | Harney, | Propert, | Wagner, |
| Chapman, | Keller, | Scott, | Walker, |
| Confair, | Kessler, | Shafer, | Watkins, |
| Ehrgood, | Koprivier, Jr. | Stevenson, | Whalley, |
| Elliott, | Lane, | Taylor, | Wolfe, |
| Flack, | Mallery, | Van Sant, | |

NAYS—14

| | | | |
|-----------|------------|---------|----------|
| Camiel, | McGinnis, | Ripp, | Silvert, |
| Hays, | McMenamin, | Ruth, | Stiefel, |
| Mahady, | Mullin, | Seyler, | Weiner, |
| McCreesh, | Murray, | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 1079—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097 and 1098—Mr. BERGER. Mr. President, I move that these bills be recommitted to the Committee on Education.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I object to these bills going back to committee unless there is some compelling reason for them to do so. I believe that we had a Con-

ference Report whereby we raised all the fees some time ago and it was to be charged to the different persons operating under these different boards.

I think it is only fair, in keeping with the other cost of living raises which we have given along the line to the counties and the rest of the areas, that we also give these people, serving on these boards and commissions, an increase. It is not substantial, but I think they are increases which merit us getting good people to serve on these boards.

Unless there is some reason which is not apparent to me or to the Members of the Senate who are sitting on this side, I would like to know why. If there is no good reason, I would like to object to the bills going back to committee.

Mr. BERGER. Mr. President, primarily, the reason for these bills going back to committee is that most of these boards and commissions are composed of people who consider it an honor to serve on them by doing some service for their professions or occupations. The financial remuneration is not a consideration in almost every such case. However, the Chairman of the Committee on Education has indicated that possibly some of them will reappear.

I certainly have no animus, in any respect, for any board or commission. However, at the same time, Mr. President, from the sheer weight of the number of bills that we are dealing with here, I hope that he will be selective.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative, and the bills were recommitted.

HB 1121 and 1122—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 1139—Read in length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 1189—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, there is a problem connected with this piece of legislation which I would like

to call to the attention of the Senate. There is some General State Authority money which has been expended in this hospital, on which there bonds still outstanding. I do not see how we can enter into any kind of negotiation with this State facility unless we take some action in regard to these bonds.

I would, therefore, ask that the bill go over in its order until such time as we receive an expression of opinion from the General State Authority as to the exact status of this matter.

The PRESIDENT. There being no objection, the bill will go over in its order.

HB 1195 and SB 1204—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 1241—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, Senate Bill No. 1241 is an amendment to the Constitution under which the length of Sessions are limited, in the even years, to three months and in the odd years to four months.

I am not rising to object to this bill. We did intent, however, to offer an amendment to the provision which prohibits the Governor from calling a Special Session. We realize that emergencies may arise when the Governor, in the exercise of his functions and duties as Governor, is compelled, for the good of the State, to call a Special Session. I had intended to offer an amendment to remove the prohibition of calling a Special Session. However, I am advised that this amendment can be more conveniently offered in the House. I, therefore, ask that we proceed with this bill without offering the amendment at this time.

Mr. BERGER. Mr. President, that amendment was discussed with me and with Senator Weiner, and there are other amendments which I feel should go into this bill before it is actually in the form that we want it. However, it is a Senate Bill and, to expedite matters, I think it would be better if we would pass it over to the House, have it considered in committee, and try to work out all amendments there. The Senate then can consider it in its final form when it is returned from the House.

For instance, the period of limitation is in question, and I am certainly willing to accept amendments on that score. There is a question in my mind whether it is necessary to repeat certain language in this amendment which was included in the referendum amendment which was acted upon by the voters in November.

There are a number of things necessary to get the bill in an actually proper condition, and I think the method that has been suggested is the best method. Therefore, I will ask my colleagues to vote on the bill in its present form.

Mr. SEYLER. Mr. President, it is my intention to vote "no" on this proposed amendment.

It seems to me that anyone who has any experience at all with the complexity of State Government, and with the magnitude of the problems which confront State Government, would be very foolish to make the assumption that for some reason now it is going to be possible to transact the business of the Commonwealth in three or, as the case may be in every fourth year, four months. The whole record of recent State Government indicates that

this is a dream. It seems to me that it is entirely impractical to expect that we can conduct the business of the Commonwealth with that kind of a limitation.

Furthermore, it seems to me that the fact that such limitation would be imposed would have an effect on the consideration of problems and pending legislation by the General Assembly which would tend to make it less careful and tend to give less study to the problems than they require.

For these reasons, Mr. President, I intend to vote "no" on this proposal.

And the question recurring,

Shall the bill pass finally?

During the calling of the roll, the following occurred:

Mr. MULLIN. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Harney, | McMenamin, | Van Sant, |
| Blass, | Hays, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Madigan, | Silvert, | Weiner, |
| Flack, | Mallery, | Stevenson, | Whalley, |
| Fleming, | McCreesh, | Taylor, | Wolfe, |

NAYS—9

| | | | |
|---------|---------|-------|----------|
| Camiel, | Mullin, | Ripp, | Seyler, |
| Lane, | Murray, | Ruth, | Stiefel, |
| Mahady, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 1242—Mr. BERGER. Mr. President, I request that this bill go over in its order inasmuch as it is a companion bill to Senate Bill No. 1189, and I feel they should both move together.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 1251—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Silvert, |
| Camiel, | Kessler | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the

House of Representatives for concurrence.

HB 1324, 1325, 1327 and 1328—Upon motion of Mr. BERGER, seconded by Mr. PECHAN, and agreed to, the bills were recommitted to the Committee on Education.

HB 1589, 1608, 1610, 1611, 1612 and 1613—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1647—Said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Peckan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1734 and 1948—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1594—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Peckan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1980—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1981—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 1702), page 3, line 4, by striking out "a" and inserting: "the"; Amend Sec. 1 (Sec. 1702), page 3, line 5, by inserting after "machine": "or voting machines of an election district"; Amend Sec. 1 (Sec. 1702), page 3, line 7, by striking out "five (\$5)" and inserting: "fifty (\$50)"; Amend Sec. 1 (Sec. 1702), page 3, line 9, by striking out "ten (\$10)" and inserting: "one hundred (\$100)"; Amend Sec. 1 (Sec. 1702), page 3, line 11, by striking out "five (\$5)" and inserting: "fifty (\$50)"; Amend Sec. 1 (Sec. 1702), page 3, line 12, by inserting after "machine": "or voting machines"; Amend Sec. 1 (Sec. 1702), page 4, line 7, by striking out "five (\$5)" and inserting: "fifty (\$50)"; Amend Sec. 1 (Sec. 1702), page 4, line 15, by striking out "five (\$5)" and inserting: "fifty (\$50)"; Amend Sec. 1 (Sec. 1702), page 5, line 2, by striking out "ten (\$10)" and inserting: "one hundred (\$100)"; Amend Sec. 1 (Sec. 1702), page 5, line 4, by striking out "five (\$5)" and inserting: "fifty (\$50)"; Amend Sec. 1 (Sec. 1702), page 5, line 7, by striking out "five (\$5)" and inserting: "fifty (\$50)."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I am objecting to these amendments as I think they make it more difficult for anybody to check on elections. They are raising the sums here from five dollars to fifty dollars and from ten dollars to \$100. Take for example a city the size of Philadelphia where we have almost 1,600 subdivisions, many of which have two machines. You can see that this would certainly deter a candidate from looking into the matter at any length. I am sure the same would be true in the city of Pittsburgh or any large city.

I think if you are going to have elections where people can object and look into the situation, this certainly will make it more difficult for them. If a person is doing this to delay it, he will lose his money under this bill.

If you want to keep elections honest and you want people to have an opportunity to check on the matter, I do not think you should make it more difficult for them to do so. That is what this does. It prevents people from actually looking into the situation by raising that amount.

I, therefore, object to the amendments and ask my colleagues to vote "no."

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the affirmative and the amendments were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WADE.

HB 2150—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

Amend Title, page 1, last line of Title, by striking out "anthracite"; Amend Sec. 1 (Sec. 1770.1), page 2, line 10, by inserting after "anthracite": "or bituminous."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

HB 2192 and 2193—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 2291—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2338—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. KESSLER. Mr. President, I want to vote against House Bill No. 2338, and I would like to make a statement setting forth my position.

Mr. President, any Senator who has plowed his way through the graphs, charts, statistics, formulae, and the other complicated but unavoidable trappings of the vast insurance system which our unemployment compensation program is, may well be justified in wondering just what, in the final analysis, this unemployment compensation business is all about, what it is intended to do, who it is intended to benefit, and why.

Fortunately, there is a brief, clear, and definite statement available to all of us which very well answers these questions. And here it is:

"Unemployment insurance is a program of short-term insurance for the payment of benefits to workers as a matter of right during unemployment which is beyond their control. The program is designed to provide protection only to workers who are ordinarily employed, who are currently unemployed due to lack of suitable work, and who are ready, willing and able to accept such work. The primary objective of benefit payments is to replace enough of the current wage loss of unemployed workers who meet the program's requirement so that most such workers need not turn to other programs for aid under normal and recession conditions."

This is as good a summary as I have ever read as to what unemployment compensation is. More than that, it is an excellent "yardstick" with which we can measure the extent to which various groups of individuals are entitled to unemployment compensation benefits.

Now I would like to tell you where this definition came from. Early this year, a very careful survey revealed that from \$40 to \$60 million is being siphoned from the Unemployment Compensation Fund every year through a series of "loopholes" in the law which permit millions of dollars in benefits to find their way to people who should not, under any reasonable definition of unemployment compensation, be entitled to receive them.

This survey prompted the Lancaster New Era, down in my home town—an area of very high employment, by the way—to request the Bureau of Employment Security to

make a survey there. They found, as you can see in the headlines which I now show you, that actually the drain on the money which employers contribute to the Unemployment Compensation Fund may be even greater than the original survey had disclosed. However, let us not deceive ourselves. Unemployment compensation taxes, like all taxes, are paid in the end by Mr. John Q. Public—the consumer.

Since the original survey, a great deal of attention has been focused on "plugging the loopholes."

We are all familiar with what these "loopholes" are, Mr. President. They have been discussed in meetings, thrashed out in newspapers, talked about in caucuses, until they are familiar to most well-informed people, even by the short designations I shall use here for the sake of placing them before you once again.

Uniform duration accounts for a yearly drain of \$20 million. "Double Dippers" drain off \$18 million; pensioners, \$11 million; people who quit for personal reasons, \$2.5 million; and pregnancy, \$5 million.

Newspapers all over the State have called upon the Legislature to do something about it. Quite wisely, the newspapers point out that Pennsylvania cannot afford such waste and extravagance, particularly with the Unemployment Compensation Fund nearly exhausted, and with high taxes already placing Pennsylvania business at a disadvantage with business in other States.

This spring, Senator James S. Berger and I sponsored a bill which we felt would sharply reduce the tremendous drain on the fund. Unfortunately, this bill was bypassed, and the General Assembly, instead, passed a resolution calling on the Governor to name an Unemployment Compensation Study Committee.

A committee, composed of citizens with varying backgrounds, was named and as one of its first acts, it sought a basic statement, or a yardstick, which could be used in evaluating plans for improving the structure of Pennsylvania's Unemployment Compensation Law.

The Federal Bureau of Employment Security prepared the statement which I have just read to you, and it was adopted and agreed upon by the committee. That statement came, by the way, from a pamphlet entitled, "Unemployment Insurance: Purpose and Principles; A Guide for Evaluating the Main Principles of Unemployment Insurance Laws," released December 1950 by the Bureau of Employment Security, U. S. Department of Labor.

Unfortunately, however, the Governor's Committee could reach no agreement to apply the "yardstick." To have done so would have resulted in recommendations for the closing of the legal but wasteful loopholes.

Mr. President, I feel that this failure to use fully the principles earlier agreed upon is deplorable, to say the least. A minority report to the Governor did carefully and honestly use them in considering the eligibility of each group of loophole claimants, and it became crystal clear that none of these groups was entitled to the protection of the unemployment compensation program.

It is incomprehensible to me how any one who has read that minority report—and I assume that all of my colleagues have done so—can fail to see and understand the extreme need for a complete closing of all the loopholes.

In view of the principles enumerated by the Federal Bureau of Employment Security,—in logic, in sense, in common prudence—why should unemployment compensa-

tion be paid to people who are not ready, willing and able to work?

Why jeopardize the position of the wage earner by massive withdrawals on his funds for payments to people who may be entitled to public assistance but not to unemployment compensation?

I am bitterly opposed to the continued payment of benefits to large groups of individuals whose eligibility to receive them is so questionable.

These payments are having a disastrous effect on Pennsylvania's unemployment compensation program. They have played, and will continue to play, a vital part in depleting the Unemployment Compensation Trust Fund, thereby placing in jeopardy the payment of claims to the regularly employed—those the law was designed to protect.

These loophole payments are imposing a heavy handicap on another important segment of the state's economy—our tax-burdened employers. All Pennsylvania employers are now paying at the maximum tax rate of 2.7%. The bill which this body is about to pass will increase the average tax rate to 3.3% and impose a new maximum tax of 4% on many employers. Thus, at a time when Pennsylvania's unemployment compensation taxes are already about the highest in the nation, they now will go even higher.

This fact will have serious consequences on the economic life of the Commonwealth which is already beset with crushing ills. There are areas in our State where business conditions are alarmingly poor and where unemployment is all too common and too deep. The Legislature has attempted to remedy this condition in many ways. It has passed laws designed to bring about plant expansion and new industries, and for training the unemployed for new skills in such localities, so that the unemployed may again become gainfully employed workers. Therefore, we have, with some success, improved the business climate in the Commonwealth. Even with these attractions, industry is certainly not going to expand in Pennsylvania if the cost of doing business here is greater than it is in Ohio or other competitive industrial States.

All this improvement can be offset by permitting the unemployment compensation tax to soar above that of our competitors, for the unemployment compensation tax becomes a part of the cost of the product. It is a tragic thing that we have permitted the Pennsylvania Unemployment Compensation Law, which was designed to alleviate unemployment, to become the very instrument to create more unemployment.

Let us see how Pennsylvania now compares with competitive States as to its unemployment compensation taxes and costs.

Our average unemployment compensation tax rate in 1958 was 1.91%. In 1959, it went to 2.70%, and the ratio of benefits to wages in 1958 here in Pennsylvania—actually, our cost rate—was 4.69%.

Now let's look at some other States, which compete with us for business and industry:

In Illinois, for example, in 1958, their average tax rate was 0.8% and for 1959, it is estimated to be 1%. In New York, the average in 1958 was 1.6%, and in 1959, the average will be 2.02%. In Ohio, in 1958, the tax was .75%. In 1959, it is estimated to be 1.4%, as against Pennsylvania's 1.91% in 1958, and 2.7% in 1959.

It is my understanding, Mr. President, that the bill now before the Senate will boost Pennsylvania's average tax rate to 3.3%, the highest of all our competitor States.

Our dilemma can be described in a few words. Failure to close the loopholes means more costs, more costs mean more unemployment compensation taxes, more unemployment compensation taxes means less business in Pennsylvania, and less business means more unemployment.

In every sense of the phrase, the Unemployment Compensation Fund is a trust fund. To it we hold responsibility as guardians of its integrity—a responsibility that stands above and beyond the realm of "politics as usual."

Failure to take decisive steps in the improvement of the Unemployment Compensation Law at this time, because of political expediency or any other reason, is a prievous mistake which will produce problems more and more acute as time progresses. It is regrettable that, by our action, we are needlessly injuring the workers and employers of Pennsylvania.

To put it another way, in matters of unemployment compensation, Mr. President, the best politics for the Commonwealth of Pennsylvania is no politics.

Mr. President, I wish to be recorded as voting "no" on House Bill No. 2338.

Mr. WEINER. Mr. President, this is a mere attempt by our society to take care of people who find themselves in a rather unfortunate position.

I have great regard for the gentleman from Lancaster, Senator Kessler, who just spoke. I would also like to bring to his attention the fact that Pennsylvania is thirtieth in the nation in this area of unemployment compensation. I agree with him that we would be in a much better position had we had the same tax rate that New York has had over the past ten years. However, unfortunately, we have reduced our rate from time to time to the point where we find we have practically no money in the fund, and this has sort of brought us down to a point where we now have to pay—possibly it was a folly at that time—for it none the less.

As great an industrialized State as we are, we also suffer from having a sick industry in our midst and that has been with us for some time; namely, the coal industry and the people who work therein. You just cannot shunt them aside or forget about them.

One of the other things which has occurred, I believe very recently, is that the Chamber of Commerce in Philadelphia came out just yesterday I believe, or the day before, and said that this was an excellent bill. The Philadelphia Evening Bulletin felt this was a rather good measure and felt it was the type of measure that we should enact and both parties should vote for it.

Along with that, I think we should also refer back to the early days of this Session when we got into this entire problem, and the Governor appointed a committee that was made up of public members, members of industry and members representing the laboring man. This bill represents the compromise at which they had arrived, plus some other compromising features that were put in here by the Members serving in the House and the Senate.

It is true that we cannot have a perfect measure because I feel that the amount of money to be received by the workman is just merely trying to keep abreast of the cost of living. It is not a great sum that he is

going to get while he is out of work, and I doubt if any man who has a family could live on that amount of money. It is merely a helping hand, as it were, to get him started or to keep him going until conditions either better themselves or some other condition changes.

We have also lived through a recession. This may or may not be political, but it has occurred over these last few years. This was true of the entire economy across the nation. Our Government also suffered from this same recession. This also further hurt the fund.

We have had industrial trouble, which only comes in periods of economic stress, which has caused further difficulty and also further weakened the fund.

I do not know how Senator Kessler will suggest that it be done or how else we can address ourselves to this problem, but it is a bit difficult to try to help a man who is working and suddenly cut off from that income, all of which has probably already been budgeted out, and when that money is not there, he finds himself hard pressed.

I feel this is just a mere attempt, a weak attempt, on our part to help people who are unable to help themselves.

Mr. MAHADY. Mr. President, although I am going to vote for this bill because it is a compromise bill, I want to draw everyone's attention to the fact that on page 39, line 18, the Act heretofore read: "... whether or not an employe has left his work voluntarily without good cause" We have changed that to read: "... whether or not an employe has left his work voluntarily without cause of a necessitous and compelling nature"

I must confess and admit that I do not know the limit of this blank check, or how restricting it is in its effect, and I doubt whether many in this room do. I say to you that although I am voting for it because it is the compromise reached, and it is the best we can get, I have grave misgivings in connection with this sentence.

Mr. ELLIOTT. Mr. President, I would like to just make a remark or two, perhaps from a different point of view than we have already heard from the Senate floor. I endorse the remarks just made by the gentleman from Lancaster, Senator Kessler. I feel, as he does, that the original intent of unemployment compensation—namely, to provide cash benefits during involuntary unemployment of short duration—is not being carried out when certain inequitable and improvident loophole benefits have not yet been eliminated.

I am in full accord with the principles involved in providing emergency benefits for those family providers who become unemployed through no fault of their own. However, I do feel strongly that these principles must be carried forth on a morally fair and financially sound basis.

Yet, while I agree wholeheartedly with Senator Kessler's statement, I also recognize that we, in this Senate, have a real responsibility to maintain the Unemployment Compensation Fund's fiscal soundness and integrity. We cannot allow our fund to become depleted, thus creating a disgraceful Michigan—like situation in Pennsylvania.

It might be apparent to some that it would be far more sensible to plug the loopholes, thereby relieving somewhat the adverse tax impact of the bill so as to preserve, if possible, the competitive position of Pennsylvania's industry.

Nevertheless, the present unsatisfactory condition of the

fund makes it urgent for us to restore it to an adequate reserve level. For this reason, I will support this bill and will vote in favor of its passage.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Koprivier, Jr. | Pechan, | Taylor, |
| Chapman, | Kromer, | Propert, | Van Sant, |
| Confair, | Lane, | Ripp, | Wade, |
| DiSilvestro, | Madigan, | Rooney, | Wagner, |
| Donolow, | Mahady, | Ruth, | Walker, |
| Ehrgood, | Mallery, | Sarra, | Watkins, |
| Elliot, | McCreesh, | Scott, | Weiner, |
| Flack, | McGinnis, | Seyler, | Whalley, |
| Fleming, | McMenamin, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Kessler

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2362—read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliot, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2382—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, this bill, as it was reported to the floor of the Senate, and in my opinion, offered a fair solution to some problems which have arisen under the so-called Blue Laws. However, the amendments that have been placed in it by the Senate would seem to complicate it as far as receiving approval is concerned. I originally had intended to support and vote for this bill.

Mr. President, the type of amendment that has been placed in the bill is the kind of provision for which usually provide a referendum to be voted upon by the people in the community affected, where the activities are to be conducted, For that reason, Mr. President, I am going to vote against it, although I agree with the general tenor of the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

| | | | |
|----------------|------------|---------|-----------|
| Barr, | Lane, | Pechan, | Silvert, |
| Blass, | Mahady, | Ripp, | Stiefel, |
| Camiel, | McCreech, | Rooney, | Van Sant, |
| Harney, | McGinnis, | Ruth, | Walker, |
| Keller, | McMenamin, | Scott, | Watkins, |
| Kessler, | Mullin, | Seyler, | Weiner, |
| Koprivier, Jr. | Murray, | | |

NAYS—16

| | | | |
|----------|----------|------------|----------|
| Berger, | Flack, | Propert, | Wade, |
| Chapman, | Fleming, | Shaffer, | Wagner, |
| Confair, | Hays, | Stevenson, | Whalley, |
| Elliott, | Mallery, | Taylor, | Wolfe, |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, now that Senate Bill No. 2382 has passed, I think it would not be amiss to say that this makes legal the sports activities that go on every Sunday in most every community throughout this entire State. Either they are overlooked or winked at, even though they were illegal prior to this Act going to the Governor's desk for his signature.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, if I may be permitted a personal observation, I want to say to you, Mr. President, that you are fortunate in not presently being upon the bench if you have to interpret "wholesome recreation."

The PRESIDENT. I think it is a very, very real privilege in not being there at this moment.

BILLS ON THIRD READING

HB 2383—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |

| | | | |
|--------------|------------|---------|----------|
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreech, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2394—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2408—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

During the calling of the roll, the following occurred:

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "no" because, in my opinion, this bill reaches the lowest among the low in presenting to the Senate, and to the General Assembly, matters which have no consequence and are in the nature of trivia.

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|------------|------------|
| Barr, | Hays, | McMenamin, | Shafer, |
| Berger, | Kalman, | Miller, | Silvert, |
| Blass, | Keller, | Mullin, | Stevenson, |
| Camiel, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr. | Pechan, | Van Sant, |
| Confair, | Kromer, | Propert, | Wade, |
| DiSilvestro, | Lane, | Ripp, | Wagner, |
| Donolow, | Madigan, | Rooney, | Walker, |
| Ehrgood, | Mahady, | Ruth, | Watkins, |
| Elliott, | Mallery, | Sarra, | Weiner, |
| Flack, | McCreech, | Scott, | Whalley, |
| Fleming, | McGinnis, | Seyler, | Wolfe, |
| Harney, | | | |

NAYS—1

Stiefel,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2417—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I move that **HB 2417** be recommitted to the Committee on Rules for further study.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, House Bill No. 2417 serves a very real and, in my opinion, a very laudable purpose. It provides that Housing Authorities may not charge to persons on public assistance or relief a greater rental than they charge to people who have comparable incomes.

I see no reason, Mr. President, why a Housing Authority or anyone else, for that matter, should charge a person more rent when he is on public assistance than

they charge someone else who is not on public assistance, but has a similar amount of income.

For that reason, Mr. President, I feel that this bill is desirable, and ask my colleagues to vote against the motion to recommit.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WEINER and Mr. MAHADY, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative and the bill failed of recommitment.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

| | | | |
|----------|----------------|----------|------------|
| Berger, | Hays, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Lane, | Rooney, | Wade, |
| Ehrgood, | Madigan, | Ruth, | Wagner, |
| Elliott, | Mallery, | Scott, | Walker, |
| Flack, | McCreesh, | Seyler, | Watkins, |
| Fleming, | McGinnis, | Shafer, | Whalley, |
| Harney, | McMenamin, | Silvert, | Wolfe, |

NAY—3

| | | |
|---------|-------|---------|
| Mahady, | Ripp, | Weiner, |
|---------|-------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2419—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Harney, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarraf, | Weiner, |

Elliott,
Flack,
Fleming,

McCreesh,
McGinnis,
McMenamin,

Scott,
Shafer,
Silvert,

Whalley,
Wolfe,

NAYS—3

Hays,

Mahady,

Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2425—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

REPORT FROM COMMITTEE

Mr. VAN SANT, by unanimous consent, from the Committee on State Government, reported, as committed HB 647.

SECOND READING CALENDAR

BILLS CALLED UP OUT OF ORDER

SB 924—Without objection, the bill was called up out of order, from page 18 of the Second Reading Calendar, by Mr. BERGER. Upon motion of Mr. BERGER, seconded by Mr. PECHAN, and agreed to SB 924 was re-referred to the Committee on Rules.

SB 1117—Without objection, the bill was called up out of order, from page 18 of the Second Reading Calendar, by Mr. BERGER. Upon motion of Mr. BERGER, seconded by Mr. PECHAN, and agreed to, SB 1117 was recommitted to the Committee on Insurance.

HB 1178—Without objection, the bill was called up out of order, from page 19 of the Second Reading Calendar, by Mr. WEINER. Upon motion of Mr. WEINER, seconded by Mr. BERGER, and agreed to, HB 1178 was re-committed to the Committee on Rules.

HB 2170—Without objection, the bill was called up out of order, from page 21 of the Second Reading Calendar, by Mr. BERGER.

HB 2170—The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 4, page 5, lines 18 and 19, by striking out "SUBJECT TO THE SUPERVISION AND CONTROL BY" and inserting: "In accordance with the policies of."

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 5, page 12, line 12, by striking out "THE" and inserting: "three"; Amend Sec. 5, page 14, line 5, by inserting after "FECTED"; "to carry out the purpose and intent of this act, all rules and regulations shall be adopted by the Commission in accordance with the provisions of the act of June 4, 1945 (P. L. 1388), known as the 'Ad-

ministrative Agency Law,' and its amendments"; Amend Sec. 5, page 15, by inserting after line 19: "(g) Any party aggrieved, as defined in the act of June 4, 1945 (P. L. 1388), known as the 'Administrative Agency Law,' and its amendments, by any order, decision or determination of the Commission made pursuant to the provisions of this act, shall have the right to appeal such order, decision or determination in the manner provided for, by and subject to all the provisions of the act of June 4, 1945 (P. L. 1388), known as the 'Administrative Agency Law,' and its amendments."

They were agreed to.

The section was agreed to as amended.

The sixth, seventh, eighth, ninth, tenth and eleventh sections were read and agreed to.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendment:

Amend Sec. 12, page 22, line 13, by inserting after "Subdivisions": "Nothing in this act shall limit the powers conferred under existing laws upon counties of the first and second class to enact and enforce through the County Health Department or otherwise ordinances or rules and regulations controlling and regulating air pollution or the emission of smoke."

It was agreed to.

The section was agreed to as amended.

The thirteenth, fourteenth and fifteenth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

All remaining bills on the Second Reading Calendar not considered were passed over in their order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 594, 647, 1322, 2063 and 2359.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

The PRESIDENT. The next order of business before the Senate is Petitions and Remonstrances.

BIRTHDAY FELICITATIONS EXTENDED TO SENATOR BERNARD B. MCGINNIS

Mr. VAN SANT. Under Petitions and Remonstrances, Mr. President, although this is not the proper order of business, I think we would be amiss in our responsibility here in the Senate, in view of the fact that there is a possibility the gentleman will not be with us tomorrow, to not mention that we have an octogenarian who will celebrate his eighty-first birthday tomorrow. There is a good possibility he may be in Galway Bay tomorrow and not here on the floor of the Senate. I think that we, as Members of the Senate, should acknowledge the fact that the Honorable "Barney" McGinnis celebrates his eighty-first birthday tomorrow.

The PRESIDENT. We are very grateful. A very happy birthday to you, Senator McGinnis.

Mr. PECHAN. Mr. President, I would suggest that the Chair request the young gentleman from Allegheny to sing one verse of "Galway Bay."

The PRESIDENT. The President of the Senate is very happy to make that request. Will you please oblige us, Senator? Come up and use the microphone right here. (Rendition of "Galway Bay" by Senator McGinnis.)

The PRESIDENT. I am sure that I speak for every Senator here present when I say that we are very proud of our gentleman from Allegheny County, Senator McGinnis.

Mr. STIEFEL. Mr. President, Senator McGinnis deprived us of two passages of that song. He shortened it and omitted two passages.

The PRESIDENT. I am sure we can call upon him next year for those two passages.

HOUSE MESSAGE

HOUSE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted Reports of Committees of Conference on **HB 959, 1078, 1080, 1081, 1082, 1083, 1084, 1512, 1513, 1514, 1515, and 1516**, which were placed on the Calendar.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, December 1, 1959, at 2:30 o'clock p.m.

Mr. ROONEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:55 o'clock p.m.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, DECEMBER 1, 1959.

No. 117.

SENATE

TUESDAY, DECEMBER 1, 1959

The Senate met at 2:30 o'clock p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Father FRANCIS A. KIRCHNER, Pastor of St. Margaret Mary Catholic Church, Harrisburg, offered the following prayer:

In the Name of the Father, and of the Son, and of the Holy Ghost, Amen.

We pray Thee, God, our Father, through Whom all authority is rightly administered, all laws are enacted and judgments decreed, to assist, with Thy Holy Spirit of counsel and fortitude, our leaders in the government of State and Nation. Grant them strength and guidance, that their administration may tend to the preservation of peace, the promotion of national happiness and the establishment of an international order for the welfare of all Thy people, whom Thou hast created to Thine own image and likeness.

In a very special way, we ask Thy choicest blessings, O Heavenly Father, upon those here assembled. Assist them in their deliberations so that all their decisions may rebound to the spiritual and physical benefit of the citizens of Pennsylvania, and this glorious Commonwealth which Thou has established in our midst.

We ask for these blessings in the Name of the Father, and of the Son, and of the Holy Ghost, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 10, 160, 379, 446, 447, 449, 471, 472, 473, 661 and 662.**

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

December 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Alton, Star Route, Dingmans Ferry, Pike County, for appointment as Justice of the Peace in and for the Township of Porter, Pike County, to serve until the first Monday of January 1960, vice Alton J. Jones, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives being introduced, presented communications informing the Senate that the House has concurred in amendments made by the Senate to **HB 1997, 2261 and 2292.**

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 107, 139, 304, 990, 1220, HB 253, 1162, 1861, 1997, 2218, 2261 and 2292.**

REPORT OF COMMITTEE OF CONFERENCE

Mr. SHAFER submitted the Report of Committee of Conference on **HB 1881**, which was laid over for printing under the rules.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, in our society today and in our complex industrialization, there is a disease or injury that people receive who work in these industries. I think it is not very well known, except in cases which come to the attention of people who are in public life. These cases deal with workers who are exposed to a great deal of noise which, after a period of years, causes a partial or complete loss of hearing.

Under existing law, such people can receive no form

of compensation unless they suffer a direct injury to the ear, such as a blow, impact or some accident to the head, in which event they would be covered by workmen's compensation.

I submit to you, Mr. President, that this is as much of an occupational hazard as silicosis is to those workers who work in mines or tuberculosis or any other kind of communicable diseases are to those persons who work in sanatoria and are exposed to such diseases.

The reason for introducing this bill so late in the Session is because I had to gather sufficient material. There is a law in Missouri which covers this very area, and, this bill is patterned after the Missouri law.

I also would like to bring to the public's attention that we are considering this type of injury, which is not a direct injury but rather one which occurs as a result of a person working in a certain area in which he may be originally equipped and for which industry does nothing to avert his being prevented from suffering this partial or complete loss of hearing.

I would also like to suggest that if this bill cannot receive consideration during this Session, because of the complexity of it, perhaps we should introduce a bill directing the Joint State Government Commission to look into this matter.

BILL INTRODUCED AND REFERRED

Mr. WEINER presented to the Chair **SB 1267**, entitled:

An Act amending the act of June 21, 1939 (P. L. 556), entitled "The Pennsylvania Occupational Disease Act," including partial or complete loss of hearing within the meaning of the term occupational disease, and providing for the liability of employers and the benefits and persons entitled thereto.

Which was committee to the Committee on Rules.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I am about to introduce a bill which may be of considerable interest to the Members of the Senate.

BILL INTRODUCED AND REFERRED

Messrs. LANE and STIEFEL presented to the Chair **SB 1268**, entitled:

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon John M. Walker.

Which was committed to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. FLEMING, by unanimous consent, from the Committee on Rules, reported, as committed, **SB 1266**.

SENATE CONCURRENT RESOLUTION

RECALLING **SB 297** FROM THE GOVERNOR

Mr. SILVERT offered the following resolution, which was read, considered and adopted:

In the Senate, December 1, 1959.

Resolved (if the House of Representatives concurs), That Senate Bill No. 297, Printer's No. 321, entitled "An act repealing Section 650, Act of June 24, 1939 (P. L. 672),

entitled 'An act to consolidate, amend and revise the penal laws of the Commonwealth' relating to pawn-brokers dealing with minors," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

SENATE COMMITTEE TO CONFER WITH DEPARTMENT OF HIGHWAYS AND THE PENNSYLVANIA TURNPIKE COMMISSION CONCERNING RECENT "TRAFFIC JAM" ON THE TURNPIKE

Messrs. WHALLEY, KOPRIVER, Jr., KALMAN and WALKER offered the following resolution (Serial No. 86), which was read as follows:

In the Senate, December 1, 1959.

The Pennsylvania Turnpike, world known and renowned as a model in express and safe travel for motor vehicular traffic has an "Achilles' Heel".

Built as a four lane highway, through mountainous terrain, the four sixty-five miles per hour traffic lanes narrow down to two thirty-five miles per hour traffic lanes through the existing tunnels.

As a result, over the Thanksgiving Holiday the home-bound holiday travelers using the turnpike ran into the worst traffic jams in the history of the toll road.

Traffic was stalled as much as 10 miles on the western entrance of Laurel Tunnel and on the eastern end of Allegheny Tunnel near Somerset and was not moving more than 1 mile an hour at these tunnel jams. It was several hours before a vehicle could pass one of these points.

This is not the first occurrence of such a serious situation, but each occasion has become progressively more severe.

In 1957, this Legislature attempted some remedial legislation by providing for the repair, improved lighting and painting of these tunnels.

During the present session of this Legislature we have passed, and the Governor has approved, legislation authorizing the construction of additional tunnels or lanes on the turnpike between the Irwin and Middlesex Interchanges.

As evidenced by this most recent "traffic jam" on the turnpike positive and immediate action must be taken to prevent the reoccurrence of these traffic "tie-ups," therefore be it

Resolved, That a committee of three members of the Senate, to be appointed by the President Pro Tempore, meet with the Department of Highways and the Pennsylvania Turnpike Commission to determine what immediate action can be taken to avoid a reoccurrence of this situation; and be it further

Resolved, That the committee make a report of its findings and determinations to the Senate as soon as possible.

Mr. WEINER. Mr. President, I have no objection to this resolution if the purpose of the members meeting with the Turnpike Commission is in an advisory capacity. I think that the Turnpike Commission is a separate entity in the sense that it has its own bonds, its own financing and its own jurisdiction. I notice the Department of Highways has been invited to sit in on this problem. However, I think one of the things which we should be prepared to discuss, if we go over there with them, is how we would finance the further widening or opening up of the tunnel areas so that this jam-up will not occur. I am not so sure that this is a regular problem. Probably it only happens when they have this heavy holiday traffic.

If this committee is to function in an advisory capacity,

which I think the resolution calls for, I have no objection as such.

The PRESIDENT. The resolution will be referred to the Committee on Rules.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

HB 998—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1572—Mr. Pechan, Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 1572**, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2368—Mr. PECHAN. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to **HB 2368**, recalled from the Governor.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SB 118—Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 118**.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, knowing how efficient this Body is in not wanting to do needless acts, Senate Bill No. 118, Printer's No. 1615, is not necessary. This has already been done by Executive Order of the Governor; namely, the granting of the increase and subsistence allowances to the men on the State Police force. I would say that we need not take any action on this bill at all.

In this bill, there was a provision for a board which

has been stricken out by the House. If it is the desire of the Majority Party to concur in this, without putting the board back or taking this under consideration, I believe then that we do not need this bill at all because it has already been accomplished.

Mr. BERGER. Mr. President, I understand that about a week ago this was done by Executive Order; true enough. It might have been done before that time by Executive Order and it might also have been done later had this bill not been passed by the Legislature. However, that is neither here nor there. We can make the assurance doubly sure, however, because what can be done by Executive Order can also be undone by Executive Order. This legislation will assure the increments and the subsistence increases to the State Police along the same lines as the Executive Order.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 453—Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 453**.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Hays, | McMenamin, | Silvert, |
| Berger, | Kalman, | Miller, | Stevenson, |
| Blass, | Keller, | Mullin, | Stiefel, |
| Camel, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr., | Pechan, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1043—Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 1043**.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1187—Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 1187**.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1238—Mr. PECHAN. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 1238**.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Hays, | McMenamin, | Silvert, |
| Berger, | Kalman, | Miller, | Stevenson, |
| Blass, | Keller, | Mullin, | Stiefel, |
| Camiel, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr., | Pechan, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | | | |

NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS OF COMMITTEES OF CONFERENCE

HB 959—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1078—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1078**, entitled:

An Act amending "The Dental Law" approved May 1, 1933 (P. L. 216) providing for biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1080—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1080**, entitled:

An Act amending the "Professional Engineers Registration Law" approved May 23, 1945 (P. L. 913) providing for biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1081—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1081**, entitled:

An Act amending the "Architects Registration Law" approved July 12, 1919 (P. L. 933) providing for biennial renewal of certificates and changing fees in accordance therewith.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1082—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1082**, entitled:

An Act amending the "Chiropody Act of 1956" (P. L. 1206) providing for biennial renewal of registration and changing fees in accordance therewith.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |

| | | | |
|--------------|------------|---------|----------|
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1083—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1083**, entitled:

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) providing for biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1084—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1084**, entitled:

An Act amending the "Optometrists' Licensure Law" approved March 30, 1917 (P. L. 21) providing for biennial registration and changing fees in accordance therewith.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1207—Mr. RIPP. Mr. President, I move that the Report of Committee of Conference on **HB 1207** be returned to the House of Representatives for further consideration.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1512—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1512**, entitled:

An Act amending the "Pharmaceutical Practice Law" approved May 17, 1917 (P. L. 208) changing from annual to biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1513—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1513**, entitled:

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216) changing from annual to biennial registration and increasing certain fees.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |

Flack,
Fleming,
Harney,

McCreesh,
McGinnis,
McMenamin,

Seyler,
Shafer,

Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1514—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1514**, entitled:

An Act amending "The Veterinary Law" approved April 27, 1945 (P. L. 321) changing from annual to biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1515—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1515**, entitled:

An Act amending the "Medical Practice Act" approved June 3, 1911 (P. L. 639) changing from annual to biennial registration and increasing the registration fee.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1516—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1516**, entitled:

An Act amending the "Chiropractic Registration Act of 1951" approved August 10, 1951 (P. L. 1182) changing from annual to biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Rlpp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliot, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING

SB 136 and **413**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 663—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER, by unanimous consent, offered the following amendments:

Amend Title, page 1, seventh line of Title, by striking out "minimum compensation and" and inserting: "double"; Amend Title, page 1, last line of Title, by striking out "administrators of State Teachers Colleges increasing"; Amend Title, page 2, first and second lines of Title, by striking out all of the first line and "and providing for the qualifications of" in the second line; Amend Title, page 2, second line of Title, by inserting after "employee" the following: "for the college year 1960-1961"; Amend Section 1, page 2, line 1, by striking out "Section 2" and inserting: "The second paragraph of section 6"; Amend Section 1 (Sec. 2), page 2, lines 8 to 15, page 3, lines 1 to 20, page 4, lines 1 to 20, page 5, lines 1 to 19, and page 6, lines 1 to 9, by striking out all of said lines; Amend Section 2, page 6, lines 10 to 20, and page 7, lines 1 to 3, by

striking out all of said lines; Amend Section 2 (Sec. 6), page 7, lines 4 to 7, by striking out "The provisions of" in line 4, and all of lines 5 to 7 and inserting immediately thereafter: " * * "; Amend Section 2 (Sec. 6), page 7, line 8, by striking out the bracket before "person"; Amend Section 2 (Sec. 6), page 7, line 10, by striking out the bracket after "each"; Amend Section 2 (Sec. 6), page 7, line 14, by inserting a bracket before "amendment"; Amend Section 2 (Sec. 6), page 7, lines 14 and 15, by striking out "but in no event less than the minimum salary" in line 14, and "prescribed for his classification" in line 15; Amend Section 2 (Sec. 6), page 7, line 15, by striking out the brackets before and after "and"; Amend Section 2 (Sec. 6), page 7, line 15, by striking out the brackets before and after "1958-1959"; Amend Section 2 (Sec. 6), page 7, line 16, by striking out "1961-1962"; Amend Section 2 (Sec. 6), page 7, line 18, by inserting a bracket after "schedule" and inserting immediately thereafter: "act"; Amend Section 2 (Sec. 6), page 7, line 18, by striking out the bracket before "Pro-"; Amend Section 2 (Sec. 6), page 7, line 19, by striking out "] for the college year 1961-1962 1962-1963 any faculty"; Amend Section 2 (Sec. 5), page 8, lines 1 to 6, by striking out all of lines 1 to 3, 1963-1964 shall receive a double increment No" in line 6; Amend Section 2 (Sec. 6), page 8, by inserting between lines 10 and 11, the following: " * * "; Amend Section 2 (Sec. 6), page 8, lines 11 to 20, by striking out all of said lines; Amend Section 2 (Sec. 6), page 9, lines 1 to 7, by striking out all of said lines; Amend Section 3, page 9, lines 9 and 10, by striking out "SEVEN HUNDRED FIFTY THOUSAND DOL-" in line 9 and "LARS (\$750,000)" in line 10 and inserting: "two hundred thousand dollars (\$200,000); Amend Section 3, page 9, lines 11 and 12, by striking out "in-" in line 11 and "creased minimum salaries and" in line 12 and inserting: "the additional."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cambria, Senator Walker.

The PRESIDENT. Will the gentleman from Cambria, Mr. Walker, permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. WEINER. Mr. President, I object to the amendments that are being offered. Will the gentleman advise us either who suggested these amendments or, if that is not a proper question, I would like to have him answer why these amendments were suggested.

Mr. WALKER. Mr. President, these amendments were given for the very good reason that it is our feeling that we ought not to obligate ourselves for more than the term of our office. These are limiting amendments, and for that purpose only.

Mr. WEINER. Mr. President, will the gentleman advise us why we are limiting this amount of money and which term of office are we limiting, the people who teach at the schools or is this for the Members of the Legislature?

Mr. WALKER. This is for the biennium.

Mr. WEINER. Mr. President, I want to thank the gentleman, and ask that we be at ease a moment. I want to check the amendments against the original bill.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I object to the amendments, and ask that my colleagues vote "no."

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the affirmative, and the amendments were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WALKER.

SB 725—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Hays, | McMenamin, | Shafer, |
| Berger, | Kalman, | Miller, | Silvert, |
| Blass, | Keller, | Mullin, | Stevenson, |
| Camel, | Kessler, | Murray, | Stiefel, |
| Chapman, | Koprivier, Jr., | Pechan, | Taylor, |
| Confar, | Kromer, | Propert, | Van Sant, |
| DiSilvestro, | Lane, | Ripp, | Wade, |
| Donolow, | Madigan, | Rooney, | Wagner, |
| Ehrgood, | Mahady, | Ruth, | Walker, |
| Elliot, | Mallery, | Sarra, | Watkins, |
| Flack, | McCreesh, | Scott, | Weiner, |
| Fleming, | McGinnis, | Seyler, | Whalley, |
| Harney, | | | |

NAYS—1

Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 727, 794 and HB 900—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1121—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 17 by inserting after "night": "or any place selected by a parent for the temporary care of his children gratuitously or for pay during his absence."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended was passed over in its order at the request of Mr. VAN SANT.

HB 1122 and SB 1189—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1195—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. BLASS and WALKER, by unanimous consent, offered the following amendments:

Amend Title, page 3, fourth and fifth lines of Title, by striking out "regulating the entry into safe deposit boxes

of a decedent by certain persons and providing penalties"; Amend Table of Contents (Art. XI), page 14, fifth to twentieth lines; page 15, second to fourteenth lines, by striking out all of said lines; Amend Table of Contents (Art. XI), page 15, fifteenth line, by striking out "XII" and inserting: "XI"; Amend Table of Contents (Art. XI), page 15, seventeenth line by striking out "1201" and inserting: "1101"; Amend Art. XI, page 79, lines 7 to 20; page 80, lines 1 to 20; page 81, lines 1 to 18; page 82, lines 1 to 20; page 83, lines 1 to 20; page 84, lines 1 to 19; page 85, lines 1 to 9, by striking out all of said lines; Amend Art. XII, page 85, line 10, by striking out "XII" and inserting: "XI"; Amend Sec. 1201, page 85, line 12, by striking out "1201" and inserting: "1101."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman who introduced these amendments, Senator Blass, although I do see Senator Walker's name on the amendments, as well.

The PRESIDENT. Will the gentleman from Erie, Mr. Blass, permit himself to be interrogated?

Mr. BLASS. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise us why he is amending this bill to remove the safe deposit boxes?

Mr. BLASS. I will, Mr. President, for the reason that I think it is a serious invasion of the privacy and private rights of the individual. I think it is a further encroachment, by governmental interference, upon the conduct of individual affairs.

Mr. WEINER. Mr. President, does the gentleman realize that this is an Estates' Act that deals with the State collecting money after a person is deceased?

Mr. BLASS. I do, Mr. President, and I say that, at the present time, the tax is collected by reason of the fact that there is a sufficient provision for entry into private boxes by the fiduciary of the estate, either the executor or the administrator, when accompanied by an officer of the bank. I consider that a sufficient means of entry for the purpose of investigating the contents of any private box.

Mr. WEINER. Mr. President, will the gentleman explain to us, after that very fine explanation he just gave us, how this bill abrogates that right or in any way interferes with it?

Mr. BLASS. Because it interferes by enlarging the right of entry to cover revenue agents all over the State of Pennsylvania in every county. It might interfere a great deal when it comes to the examination of private papers—not as subjects of taxation—that are contained in that box, which should be private from the view of everybody, and which should not be interfered with by having that right invaded by any representative of the State or otherwise.

Mr. WEINER. Mr. President, will the gentleman please advise us how he can prevent a revenue agent going in after a person is deceased and looking at any of these boxes or any of these papers when a fiduciary goes there, or anyone else who is interested and obtains a court order to look in a safe deposit box?

Mr. BLASS. Mr. President, they can by a court order or they can by entry by a fiduciary, accompanied by an officer of the bank, and, in my opinion, that is personal.

Mr. WEINER. Mr. President, will the gentleman please tell us then what his amendments do?

Mr. BLASS. The amendments strike out all of the other means of entry so that the bill does not require any other provision for entry, because that provision is already available and has been available over the course of 100 years in the State of Pennsylvania. When a person dies, the first thing the fiduciary does, whether he is an administrator or executor, is go to the box. Usually, in most jurisdictions in the State, that fiduciary is accompanied by a representative or officer of the bank. The contents of the box are noted and the tax is then paid.

Mr. WEINER. Mr. President, will the gentleman please tell us how this is interfered with under this present bill?

Mr. BLASS. Mr. President, because it enlarges the right of entry to cover a lot of other means of entry which, in my opinion, are not necessary.

Mr. WEINER. Mr. President, will the gentleman please tell us what other entries he is speaking about so that we can specifically look at them?

Mr. BLASS. The bill provides for entry by a representative of the Department of Revenue, and an office created for that purpose in every one of the sixty-seven counties of the State.

Mr. WEINER. Mr. President, is the gentleman suggesting that the revenue officer does not now have the right to look into a safe deposit box after a will has been probated or a fiduciary has been appointed?

Mr. BLASS. Mr. President, that is why I say these provisions in the act are not necessary. If such a situation arises, a petition could be presented to the court and then, if permission is given by a court order, of course, any person could have the right of entry. The court would be the proper tribunal to hear objections, if there were any, to something that might be in that box which they were seeking to have taxed.

It is too large a privilege to give to the representatives of the Department of Revenue or to any other officer of the State. It is a privilege which will invade the privacy and which will probably interfere a great deal with other documents that are of a secret nature that are contained in that particular box, and which should not be viewed by anyone except the parties interested therein.

I want to say further that I do not think that any of these provisions, if they were incorporated, would increase the tax received in the Commonwealth of Pennsylvania.

If these entry provisions were passed, and they probably will be, then, in my opinion, it would be an invitation to commit burglary all over the State of Pennsylvania and there would be no further use for any private boxes because no one would maintain a box that would be susceptible to inspection by people whom they did not want to inspect it.

Mr. WEINER. Might I direct your attention to the bill, Senator, on pages 80 and 81, please?

Mr. BLASS. I have it. Those are the different means of entry.

Mr. WEINER. Yes sir. Would you look on page 84, please, sir? I am referring to line 3, and the words: "Section 1141 . . ."

Mr. BLASS. That may be true. It relates to confidential information gained, but it does not mean this would be carried out. It could be given from one person to another surreptitiously and quietly, and cause irreparable harm to

the person who is the owner of the particular paper or property in that box, and who did not want anybody provided with inspection privileges or to see it when it was of a private and individual nature.

Mr. WEINER. Senator, would you then look under the next Section? You are sort of jumping ahead of the questions I am going to ask you. Would you look under the Section Marked "Penalties," right underneath that? What does that say, sir?

Mr. BLASS. That probably implies penalties. However, nevertheless, many of these things go on without the penalty ever being inflicted, or the party ever being punished.

Mr. WEINER. Mr. President, I want to thank the gentleman.

Mr. President, if we follow that line of reasoning, none of the laws that have been enacted to prevent people from committing crimes are worth anything just because people break those laws. That is why we have courts, juries and, fortunately for the Senator, lawyers. It is on that basis that we operate all of our laws. If you are going to say that people are going to violate this or that then it is going to be kept more on the breach than in the keeping. This would certainly be a rather hard way to look at any of this legislation that we are trying to pass.

Senator, I would suggest to you that if you will look through these pages that you are objecting to, beginning with Article XI on page 79 and go through this, you will see that there are sufficient safeguards to prevent anyone from being hurt.

Also, this committee was headed by a very prominent jurist from the city of Philadelphia and other jurists throughout the State, as well as Members of the Legislature who sat on this committee of the Joint Government Commission. There were safeguards put in here, and this section was put in for a specific reason; namely, so that the Commonwealth could obtain the money that is due it under these different provisions. It was not with any regard or any purpose of looking into anyone's confidential papers, but merely to obtain that which belonged to the Commonwealth.

If you want to take the view that no matter what you say to people, they are going to break the law, we might just as well do away with the Penal Code completely.

Mr. BLASS. Mr. President, I feel that the entry provisions are not necessary. We have gotten along very well for 150 years in this Commonwealth. We have been able to maintain things and have tried to maintain a semblance of liberty. We should be interested in the principles which were promulgated in the establishment of our government. We should not lose sight of them. We should not take steps which are socialistic or communistic in their nature. We should not adopt a system which might become close to fascism, with Gestapo tactics, by providing other means of access which would prevent the enjoyment of happiness which was guaranteed to us under the Declaration of Independence.

I feel that this is a very important step. If we take this step, there is no reason why we should not take other steps along the same line. I am very much an advocate against further infringement or encroachment upon the

rights, privileges and immunities of the people of this Commonwealth.

Mr. WEINER. Mr. President, I am certain that the gentleman from Erie did not mean to impugn the integrity of the jurists who served on this committee. I think some of those remarks certainly impugn their integrity and certainly impugn their reputation. I am sure certain of these people are good Americans and are interested in the American way of life.

However, to follow the Senator's reasoning, I guess the St. Lawrence Seaway might be considered a socialistic project because it was just built in one section of the Country to help that section of the Country to expand further.

Also, Senator, I might point out, under that same reasoning you used in this argument here, we could say that we never had a sales tax in this Commonwealth. However, we have one now.

Certain measures are necessary as the community in which we live becomes more complex. As we have more and more people using safe deposit boxes, for reasons best known to themselves, it is of some interest to the Commonwealth that it obtain the money that is due it, and not have people try to evade the collection of taxes, or else we will not be able to run this Commonwealth or the United States in a very orderly fashion.

Mr. BLASS. Mr. President, in closing, I want to say that if this means were adopted, there is nothing that would prevent the entry into a decedent's private home for the same purpose of inspection. That would be along the same line. If you can take this step, you can take the further step, and continually inspect every person's property and every part of his property for the purpose of trying to ascertain something that will not be a bit beneficial.

Therefore, I am very vigorously opposed to the inclusion of these entry clauses. I say we have gotten along very well as it is. We have collected the tax. The little tax that would be collected would not measure up to the danger in which everyone in the Commonwealth would be placed because of the fact that it would be an invitation on the part of anyone to commit burglary throughout the Commonwealth of Pennsylvania in the hope of finding assets or valuables of some nature, kind or description.

Mr. BERGER. Mr. President, the amendments offered by Senator Blass find considerable sympathy with many of the Members of this Senate. I intend to oppose the amendments, Mr. President, but I certainly respect the reasoning which Senator Blass has advanced for offering them.

The intent of these amendments is not as has been implied, to permit taxable assets to be removed from a safe deposit box so as to escape the scrutiny of the taxing officer. I believe that Senator Blass did mention, or might have mentioned, the fact that there have been any number of cases, Mr. President, where safe deposit boxes have contained papers which might have some reflection upon the paternity of certain people, or have contained certain very, very private information which should not be for the scrutiny of strangers.

If the executor or administrator enters the box, in company with a bank officer, which is the present practice and undoubtedly will be followed in practically all cases, then under this bill, a revenue officer also has that right

to go along with them. Those papers are obviously not assets which are taxable, but which might be given into the custody of the executor for such disposition as he or she might make of them. However, Mr. President, there is no reason in the world why a stranger should have any access to such papers. I know this is the reason that Senator Blass has advanced these amendments.

I must agree also, however, with the Minority Leader that this is the result of a long study made by a task force under the Joint State Government Commission. One of the members of that task force, who is an eminent judge from Philadelphia and whom we all know, said that it was not probably a perfect bill, but they had labored on it a long time and the provisions in it were about the best which they could come up with after all this work.

Therefore, Mr. President, while, as I said, I respect the reason for the amendments offered by Senator Blass, I must oppose them for the reasons which I have stated.

Mr. WEINER. Mr. President, I want to thank the gentleman from Erie for his direct answers. However, I also would like to point out to him that this is probably a good bill. One of the reasons for it being a good bill is that nobody is happy with it. That usually means there is a pretty fair solution to many difficult and complex problems. I am certain there will probably be other amendments to this measure. I am also certain that the sum obtained from some of these safe deposit boxes will be no small amount of money. This is one of the reasons why it was put in, and it was considered very carefully.

The committee worked on this rather lengthily. I think the gentleman will find there is never a situation, as the Majority Leader said, in which the banking officer does not go along with the revenue officer, the fiduciary or whoever happens to be designated by the courts, if that be the case, to look at the material contained within the box. That was one of the reasons why this penal provision was put in here and added as a part of the Penal Code, in case anyone did go beyond the realm of his jurisdiction in revealing what he had seen.

Mr. President, I would like to ask my colleagues to vote "no" on these amendments.

Mr. MAHADY. Mr. President, I think one thing which Senator Blass said should not be overlooked, and that is the fact that it has been the tendency of bureaucracy to make rules which are most advantageous to themselves, on the presumption that everyone is dishonest. Under the present system, we are depending upon the integrity of the fiduciary to produce the tax and to pay it.

This being a bill that, shall be say, smacks of the lamp and not smacking of the man who is dealing with it as an attorney or as a fiduciary every day, one likes to think of what they would like to have. This brings up the main point. What is the cost of the bill? I say to you it will be costly to have a man in every county. I would like to know from the proponents of the bill, if any of them are represented here, what the cost will be if Senator Blass's amendments are not adopted.

Mr. McMENAMIN. Mr. President, I would have to agree with the sentiments expressed by both Senator Mahady and Senator Blass. I think this is another step into an invasion of an individual's right of privacy and a tendency, or another step, toward a police State.

And the question recurring,

Will the Senate agree to the amendments?
The roll was called and was as follows:

YEAS—21

| | | | |
|----------|-----------------|-----------|----------|
| Blass, | Kessler, | Pechan, | Wade, |
| Camel, | Koprivier, Jr., | Scott, | Walker, |
| Chapman, | Mahady, | Seyler, | Watkins, |
| Elliott, | McCreesh, | Taylor, | Whalley, |
| Flack, | McMenamin, | Van Sant, | Wolfe, |
| Kalman, | | | |

NAYS—19

| | | | |
|----------|----------|----------|------------|
| Berger, | Hays, | Murray, | Silvert, |
| Confair, | Keller, | Propert, | Stevenson, |
| Ehrgood, | Lane, | Ripp, | Wagner, |
| Fleming, | Mallery, | Ruth, | Weiner, |
| Harney, | Mullin, | Shafer, | |

So the question was determined in the affirmative, and the amendments were agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WALKER, by unanimous consent, offered the following clarifying amendments:

Amend Table of Contents, page 12, by inserting between lines 7 and 8 the following: "Section 794. Transfer of Securities"; Amend Table of Contents, page 13, by inserting between lines 10 and 11 the following: "c. Transfers of Securities "Section 831. Transfers: Corporate Stock and Registered Bonds"; Amend Table of Contents, page 13, by inserting between lines 17 and 18 the following: "Section 906. Finality of Board Action"; Amend Table of Contents, page 15, line 12, by striking out "employees" and inserting: "Employees"; Amend Table of Contents, page 15, line 13, by striking out "employees" and inserting: "Employees"; Amend Sec. 102, page 18, line 20, by striking out "'Estate'" and inserting: "'estate'"; Amend Sec. 302, page 28, line 2, by striking out "of" where it appears the second time and inserting: "or"; Amend Sec. 616, page 42, line 3, by striking out "devices" and inserting: "devises"; Amend Sec. 651, page 45, line 12, by inserting after the word "interests" the following: "and all death taxes paid out of property supporting such prior interests"; Amend Sec. 803, page 66, line 16, by striking out "of" where it appears the second time; Amend Sec. 905, page 76, line 18, by striking out "if the tax was"; Amend Sec. 905, page 76, line 19, by striking out "paid to the Department of Revenue"; Amend Sec. 1151, page 84, line 10, by striking out "an" where it appears the second time and inserting: "a"; Amend Sec. 1201, page 86, line 10, by inserting after the word "day" the following: "of June"; Amend Sec. 1201, page 86, line 11, by inserting after the word "day" the following: "of June"; Amend Sec. 1201, page 86, line 12, by inserting after the word "day" the following: "of June"; Amend Sec. 1201, page 86, line 13, by inserting after the word "day" the following: "of June"; Amend Sec. 1201, page 86, line 14, by inserting after the word "day" the following: "of June"; Amend Sec. 1201, page 88, line 3, by inserting after "1714" the following: "and".

On the question:

Will the Senate agree to the amendments?

They were agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MAHADY, by unanimous consent, offered the following amendment:

Amend Sec. 404, page 33, line 8, by inserting after "percent": "except that inheritance tax upon the transfer of property passing to or for the use of a brother or sister shall be ten (10) percent."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BLASS.

SB 1204 and 1242—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1589—Read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DISilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1608—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN, by unanimous consent, offered the following amendments:

Amend Sec. 4 (Sec. 448), page 13, line 1, by striking out "twenty-one (21)" and inserting: "nine (9)"; Amend Sec. 4 (Sec. 448), page 14, line 7, by striking out "six (6)" and inserting: "four (4)"; Amend Sec. 7, page 16, line 9, by striking out "clause" and inserting: "clauses (g) and"; Amend Sec. 7, page 16, line 10, by striking out "1646 and"; Amend Sec. 7, page 16, line 10, by inserting after "(1647)": "September 1, 1959 (Act No. 292)"; Amend Sec. 7 (Sec. 2320), page 16, by inserting between lines 15 and 16: "(g) To encourage the cooperation of all agencies, public and private, doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness and to consult and advise with authorized representatives of organizations of the blind to the fullest extent practicable in the formation, administration and execution of programs for the aid and rehabilitation of the blind. No officer or employee of the [State Council for the Blind] Department of Public Welfare shall exert the influence of his office or position either directly or indirectly to prevent the free exercise

of the right of the blind to join organizations of the blind, nor shall any such officer or employe either directly or indirectly interfere with the exercise by the blind of their rights to freedom of assembly of speech and of petition. “* * *”

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I am going to object to these amendments. At this time, Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President. However, I think we can save a lot of time if we could be at ease for just two minutes.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. PECHAN.

HB 1610, 1611 and 1612—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 1613—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN, by unanimous consent, offered the following amendments:

Amend Sec. 3, page 4, lines 10 and 11, by striking out “January 14, 1952 (P. L. 2051)” and inserting: “September 1, 1959 (Act No. 291)”; Amend Sec. 3 (Sec. 2), page 4, line 13, by inserting after “maintain”: “license”; Amend Sec. 3 (Sec. 2), page 4, line 14, by striking out “and”; Amend Sec. 3 (Sec. 2), page 4, line 14, by inserting after “accessories”; “and vending machines”; Amend Sec. 3 (Sec. 2), page 4, line 15, by inserting after “for”: “or on behalf of”; Amend Sec. 3 (Sec. 2), page 5, line 19, by inserting after “sales”: “except in those locations in which the gross monthly sales do not exceed one thousand dollars (\$1,000). Such rental in these locations shall not exceed one per centum of the gross monthly sales”; Amend Sec. 3 (Sec. 2), page 6, line 1, by inserting after “charged”: “to such blind persons in accordance with the regulations to be adopted by it”; Amend Sec. 3 (Sec. 2), page 6, line 2, by inserting after “manner”: “as to achieve approximate equality of opportunity to such blind persons and to assure”; Amend Sec. 3 (Sec. 2), page 6, lines 2 and 3, by striking out “fifty thousand dollars (\$50,000)” and inserting: “seventy-five thousand dollars (\$75,000)”; Amend Sec. 3 (Sec. 2), page 6, by inserting between lines 5 and 6: “The [State Council for the Blind] Department of Public Welfare is authorized to receive and transmit to the State Treasury for credit to the “Employment Fund for the Blind” all moneys heretofore or hereafter received by the Commonwealth on account of contracts between the Commonwealth acting through the Department of Property and Supplies and vending machine owners whereby the Commonwealth is to receive a percentage of the profits from vending machines operated in State buildings.”

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. PECHAN.

HB 1734—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WAGNER, by unanimous consent, offered the following amendment:

Amend Sec. 1, page 2, line 5, by striking out “bargaining agent.”

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WAGNER.

HB 1948—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elllott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreech, | Seyley, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted “aye,” the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1980—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1981—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SEYLER. Mr. President, under the present form of this bill, with the amendments which have been placed in it, I am constrained to vote against the bill. I realize that we need legislation to regulate the opening of voting machines. It may be argued that the previous form of this bill, which required only a five dollar bond or deposit, was inadequate because it would have been below the cost of opening ballot boxes which require, certainly, a similar complement of people to open them.

However, Mr. President, the present form of the bill goes too far in the opposite direction. It now raises the cost of going back over the results of the machines. It would charge fifty dollars per machine. The average—there are voices saying I am wrong. I will be glad to have

somebody enlighten me if I am wrong. As I read the bill this morning, it seemed to me to say, "fifty dollars per machine."

Mr. President, I desire to interrogate the gentleman standing at the Majority Leader's desk.

The PRESIDENT. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. The name is Pechan. I will, Mr. President.

While the gentleman is looking for the bill, I would like to say that I know his name, but I do not want to mention it either. Will somebody introduce us?

Mr. SEYLER. Mr. President, having had the advice of counsel on this side, I no longer need to interrogate Senator Pechan, whose name I know very well, the gentleman from Armstrong, because I have now read the bill properly and find that the voices which were shouting at me were correct. Therefore, I approve of the bill and intend to vote for it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2150—read at length the third time and agreed to, And the amendments thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the

question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2192 and 2193—Without objection, the bills were passed over in their order at the request of Mr. RUTH.

HB 2291—Read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|----------|------------|
| Barr, | Kalman, | Miller, | Silvert, |
| Berger, | Keller, | Mullin, | Stevenson, |
| Blass, | Kessler, | Murray, | Stiefel, |
| Camiel, | Koprivier, Jr. | Pechan, | Taylor, |
| Chapman, | Kromer, | Propert, | Van Sant, |
| Confair, | Lane, | Ripp, | Wade, |
| DiSilvestro, | Madigan, | Rooney, | Wagner, |
| Donolow, | Mahady, | Ruth, | Walker, |
| Elliott, | Mallery, | Sarra, | Watkins, |
| Flack, | McCreesh, | Scott, | Weiner, |
| Fleming, | McGinnis, | Seyler, | Whalley, |
| Harney, | McMenamin, | Shafer, | Wolfe, |
| Hays, | | | |

NAYS—1

Ehrgood,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2394—Read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HAYS. Mr. President, I realize that to oppose a bill such as House Bill No. 2394 is treading on rather dangerous ground. I would want to preface my reasons for voting in opposition to this bill by the fact that I heartily approve and have approved of the existing law on Bible reading in the public schools of the Commonwealth.

I think that one of the things which has made America and Pennsylvania great is the role which the Holy Bible has played in the building of this Commonwealth and Nation. However, because of the fact that there is an existing law which requires the reading of ten verses of the Holy Bible each day in the public schools—and this law, of course, is now in controversy—it seems to me that we are on much firmer ground if we do not disturb that law until the final decision is made by the highest court of the land. The chances are I think better than even that when that time comes, we will be in Session and we can then pass the legislation which we deem to be necessary.

In addition to that reason, Mr. President, I fear there will be real problems involved in carrying out the amendment to this bill which reads as follows:

"Any child shall be excused from such Bible reading or attending such Bible reading upon the written request of his parent or guardian . . ."

I submit that men such as our colleagues, Senator Seyler, who has the responsibility for perhaps 600, 700, 800 or 900 pupils, may discover some very difficult problems. For example, one of his home room teachers, with thirty pupils, might come to him and tell him that sixteen of her pupils have excuses and do not wish to hear the Bible read, and fourteen do not have excuses. She could well say to him: "Now, Mr. Principal, what am I supposed to do? Do I go out in the hall with my fourteen pupils and read the Bible to them, or do I send my sixteen pupils out in the hall?" This, I realize, is a hypothetical case. However, if in each home room there are two or three or even one pupil who wishes to be excused, he will have in his halls thirty, forty or fifty pupils. Will he then have to assign a special teacher to those pupils?

It seems to me that until the final decision is made, we are tending to create controversy in a matter on which the law is now clear and on which our present Attorney General has ruled.

I do not mean to be facetious because this is a serious matter. However, isolation booths are in ill repute. It seems to me that this is going to form kind of an isolation booth situation with some of our boys and girls. The sociological implications of this are another matter which, if we had time, we might discuss.

For these reasons, it seems to me that we are in a much better position—those of us who believe in Bible reading in the schools, as I do—if we do not tinker with this law at this time, but wait until such time as the Supreme Court of the United States has ruled finally.

Mr. BERGER. Mr. President, although the case which the Senator has referred to may be hypothetical, it reflects the type of thinking which I believe is not in the majority in this Senate. I do not believe there is a possibility that sixteen out of thirty pupils in any school in Pennsylvania will be the children of parents who do not want them to hear the Bible read in the public schools.

Mr. President, I think the intent of this bill is obvious. It is intended to make a law which will pass the scrutiny of the Court and which may result in the reversal of the decision which has held that the Bible may not be read in the public schools of Pennsylvania.

This bill, Mr. President, is the result of considerable work and study by not only the attorneys representing the appellant in that particular action, but also it has been gone over very thoroughly by the Attorney General. This afternoon, I received word that the bill is in about as good shape as it can possibly be put so that it will result in a favorable decision by the courts on the subject of Bible reading in our public schools.

Mr. President, I do not need to urge all of my colleagues in the Senate to vote in favor of this bill.

Mr. SEYLER. Mr. President, I want to join Senator Hays in everything he said. I heartily endorse all that he said. Whether the exception be fourteen out of a room of thirty, or whether it be two or three out of a room of thirty, the problem is just as acute from the standpoint of the teacher's problem with the situation. Furthermore, Mr. President, the status of the situation is that until the court has finally adjudicated it, we are under the decision of the Attorney General of the Commonwealth and we are in the position of enforcing the present law, which says that the Bible shall be read, period. If we

pass this amendment, we only change that law by saying that upon the parent's request, the child may be excused.

There are many people in our Commonwealth who are of different faiths or who believe in a different Bible than is commonly used. Up to now, these people, under the law, have gone along because there was no option. Giving the option raises a question of conscience among some people and among a relatively large number of people in many areas, who heretofore have not had that problem raised because there was no option. In many cases, such parents are likely to respond to the option by following the dictates of their conscience regarding their religion.

In other words, this provision in the final part of the bill, which allows this option, raises a question which, to my mind, is likely to be a very divisive one. It is likely to mark off certain peoples and, in young minds, will create a divisiveness and a recognition of significant difference which, it seems to me, will have a bad effect. It seems to me it will raise problems of difference of religion which have never before been raised to any appreciable extent in the Commonwealth. It would fortify the position of people who took the initial action which initiated the appeal to the courts. It will create, in other people's minds, a consciousness of this problem where heretofore it did not exist. The net effect of this bill, in my opinion, is to further create this type of division among pupils.

For that reason, Mr. President, I am constrained to join Senator Hays in opposing this bill.

Mr. WEINER. Mr. President, I do not want to belabor this any further, but I do think that one of the things which has been written into our Constitution by our forefathers—and very wisely—was the separateness of the Church and the State. I think that we are somewhat abrogating this right. I know this is a difficult problem, because it is not one about which people can be very objective. It is completely filled with emotion. However, if some of us were to think clearly for just a moment and sort of remove ourselves from being in this stream and stand aside and look at this problem coldly, I think we would find that what we are doing here is forcing people to be delineated or demarcated, which is certainly un-American. I think that we have guaranteed to our citizens the right of worship. That includes also the right of privacy. Nobody has to state whether they are or are not religious, nor state what their religious convictions are. By this means, you are forcing a parent, who may feel strongly in one direction or another, to mark his child. If he does not want to do that, he may be going along in the stream because he does not want to hurt his child, against his belief or against what his better judgment might be. I think this is creating problems where there is no need for any. Unfortunately, in this matter, many of the people in this room who will have to vote may even feel like voting against this bill. However, it is the type of a bill which is difficult to explain. If you must be on the defensive and explain your vote, you are in a bad situation.

Therefore, Mr. President, the easiest course is for us to vote "aye" on this matter and hope somebody else will take up the problem.

This bill, I think, was written and proceeded to the Legislature as a result of a case which arose in Mont-

gomery County; namely, Abington. This is a measure to sort of get around the court decision and the entire problem. I think it is rather evading the issue or begging the question, as it were, because if we have to enforce this type of legislation or put it on the books strongly, when this should stand on its own two feet and have its own force, then I think it is sort of weakening to the entire process.

Mr. BERGER. Mr. President, I want to differ very vigorously with the remarks of the gentleman, the Minority Leader.

I want to recall to the Members of this Senate that this is a Nation under God. The reading of the Bible in the public schools is simply an acknowledgment of that. There is no reason in the world why anybody should be offended by reading the Bible, which is the word of God, in the public schools.

Certainly, we are tolerant and open-minded and we permit everybody to follow his own course of worship or none at all. However, it is also a Nation in which the majority rules. The majority of this Nation, I believe, feel that the Bible should be read and—in many of our colleges it is required—studied in our public schools.

Therefore, Mr. President, I feel that no one in this room can, with any justification, vote contrary to this bill.

Mr. WEINER. Mr. President, I believe the gentleman has sort of put his finger on the problem. Whose God are we talking about? Is it the God in which the Chinese people in our population believe, the Japanese, the Moslems, the Kalmucks and people of this groupings? Is it the Old Testament? Is it the New Testament? It is a hard problem. It is one that has never been answered since time immemorial. People have been fighting over this problem for many, many years, and it has caused many differences of opinion.

Is it the St. James version of the Bible that people will read? There are some people who object to that version of the Bible, and that is the reason why we have so many different groupings, so many different churches and so many different sects, because the people cannot universally agree upon which God, how they will obey this God or who this God shall be.

I think that is one of the keys to the problem. I think it is pretty hard to lay down a majority opinion, because once you leave the Anglo-Saxon nations, you find that there are differences in custom and they may not believe as the majority here believes.

Mr. BERGER. Mr. President, I do not want to prolong this discussion at all. Certainly, I would be the first to say that there are many passages of the Koran or the writings of Zoroastrianism or anything else which are very moral and very fine. No one could object to listen to them, and they are available reading.

However, the Bible is the word in which the majority of the people in this Country believe. Whether or not it is the New Testament or the Old Testament does not matter. It still is considered to be the Word.

Mr. President, it has long been the custom—at least, when I went to school certainly—to open with the reading of a passage of the Bible and, I presume, in most of our school districts it still is the custom. As far as I know, no one has ever had any rights invaded, or parents have never been particularly offended by having their children listen to those passages.

However, this bill, Mr. President, does permit them to be excused if they have some violent objection to it. If the halls of the public schools are crowded with pupils who are excused from listening to the reading of the Bible, I shall be very, very much surprised.

Mr. McMENAMIN. Mr. President, it is very easy for me to vote on this bill. I do not know of anyone in Lackawanna County who does not want the Bible read in our schools. I think perhaps we are getting a little too far afield and a little too serious on this discussion.

I think we can sum it all up by saying, as Reverend Ruth just remarked to me, "I wonder if anyone would refuse to take our money whereupon it is written, 'In God we trust'".

Mr. LANE. Mr. President, I listened very closely to all of this debate. Frankly, I do believe that we are bringing up monstrosities that really do not exist.

As I understand the statement of the Majority Leader, he said that he received information from the Attorney General that this legislation was in proper form and that he thought it would pass the scrutiny of the Supreme Court.

I do not believe there is anyone here who would not want the Bible read in our schools. I know when I was a child, I heard the Bible read from the time I was in the first grade. We never found any objections.

Hearing the discussion here today reminded me of what my father always said about religions. He said that religions all mean the same thing, only they plan on going by different routes.

I do believe that this is a good piece of legislation because in the event the Supreme Court would rule against us, we would have something with which to work, and I, like the others here today, feel that the word of God is very important to all of us in these trying times and it would be a catastrophe not to have it read in our public schools.

Mr. HAYS. Mr. President, the circle is probably complete. I said it was a dangerous thing to oppose this, and now I see that I am in the situation of being euchred into the position that if you vote "no" on this bill, you oppose Bible reading in the schools.

I am voting "no" on this bill because I highly endorse Bible reading in the schools, and I think the law should not be tinkered with at this time.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions, and were as follows, viz:

YEAS—47

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Harney, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camel, | Keller, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarraf, | Weiner, |
| Elliott, | McCreesh, | Scott, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Fleming, | McMenamin, | Silvert, | |

NAYS—3

| | | |
|-------|---------|---------|
| Hays, | Mahady, | Seyler, |
|-------|---------|---------|

A majority of all the Senators having voted "aye,"

the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2425—Read at length the third time and agreed to. On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills:

HB 505, 871, 1647, 2218, 2362, 2383, 2408, 2417 and 2419.

The PRESIDENT. At this time, the Chair wishes to place the gavel into the very capable hands of Senator Fleming.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 117 and 203—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

SB 364—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SHAFER. Mr. President, as a word of explanation to the Senate, the amendments I am about to offer merely bring Senate Bill No. 364 in line with House Bill No. 626, which we unanimously adopted at our last session.

The amendments were read by the Clerk as follows:

Amend Sec. 1 (Sec. 2), page 4, line 8, by striking out "sixty dollars (\$60)" and inserting: "seventy dollars (\$70)"; Amend Sec. 1 (Sec. 2), page 4, line 10, by striking out "two thousand five hundred dollars (\$2500)" and inserting: "two thousand eight hundred eighty dollars (\$2880)"; Amend Sec. 1 (Sec. 2), page 4, line 20 and page 5, line 1, by striking out "two thousand five hundred dollars (\$2500)" and inserting: "two thousand eight

hundred eighty dollars (\$2880)"; Amend Sec. 1 (Sec. 2), page 5, lines 2 and 3, by striking out "two thousand five hundred dollars (\$2500)" and inserting: "two thousand eight hundred eighty dollars (\$2880)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second, third, fourth and fifth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SHAFER.

HB 432 and 446—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

HB 506—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 594, 647, 652, 1161, 1172, 1261 and 1322—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

HB 1344—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1380—Mr. PECHAN. Mr. President, I request that **HB 1380** go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, may I ask of the Acting Majority Floor Leader when we might expect some action on this bill.

Mr. PECHAN. I agree, Mr. President, that this bill has been on the Calendar for some time. However, because of its complicated nature, I think that next week—perhaps on Monday—we can dispose of this measure. It is getting a little late and we do not want to get into any debate. Let us put it over until we have a full house.

Mr. WEINER. Mr. President, may I assure the gentleman that if he disposes of it favorably, there will be no debate.

Mr. PECHAN. Mr. President, that will be a switch.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

HB 1473—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

HB 1474—Mr. PECHAN. Mr. President, I request that **HB 1474** go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to House Bill No. 1474 going over in its order. I would like to suggest that this bill be referred to the Committee on Rules for the following reasons:

First of all, these are trust funds that are put in the hands of public officers to be handled for the teachers and State employees. This bill would allow these boards or commissions to invest this money in common stock in most corporations which have paid a dividend for eight out of ten years. I do not think that we want to put the people who administer these funds in the same capacity as fiduciaries, because we do not give the same rights to these people as we give to public officers.

Secondly, I think these are rather sacred funds in the sense that people are looking to them in their retirement years, and I do not think they should be invested in any kind of common stock.

For these reasons, I ask that the bill be rereferred to the Committee on Rules for further study, and possibly an amendment can be made to put the bill in working order.

Mr. PECHAN. Mr. President, the reason that this bill is going over is that several of my colleagues have asked that it go over in order so they can study the bill over the week end. Of course, if the bill does not do the things it should do, we will be happy to go along with Senator Weiner's request to rerefer it. However, I again request that the bill go over.

The PRESIDING OFFICER. The Chair will have to announce that a motion to rerefer certainly takes precedence over a request for a bill to go over in its order. Senator Weiner did not make such a motion, however. What is your desire, Senator Weiner?

Mr. WEINER. Mr. President, if I made such a motion to rerefer, I will defer to Senator Pechan's request.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

HB 1830, 1927 and 1971—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 1977—Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

HB 2063—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 2108—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 2170—The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth sections were read and agreed to.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER. Mr. President, the amendment I am about to offer simply reduces this appropriation from \$100,000 to \$50,000, in accordance with the agreement of the House and Senate Appropriations Committees.

The amendment was read by the Clerk as follows:

Amend Sec. 13, page 24, line 18, by striking out "One Hundred Thousand Dollars (\$100,000.00)" and inserting: "fifty thousand dollars (\$50,000.00)."

It was agreed to.

The section was agreed to as amended.

The fourteenth and fifteenth sections and title were read and agreed to.

Ordered, To be transcribed for a third reading.

HB 2209—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 2273—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 2277—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 2316, 2359 and 2371—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 2402—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 2423—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 2431—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 2446—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1977 CALLED UP

HB 1977—Without objection, the bill, which previously was passed over in its order temporarily, was called up from page 17 of the Second Reading Calendar by Mr. WEINER.

Mr. WEINER. Mr. President, I desire to offer amendments to this bill.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 3, line 1, by striking out "section" and inserting: "Clauses (w) and (x) of section"; Amend Sec. 1, page 3, lines 4 and 5, by striking out both of said lines, and inserting: "clause (w), reenacted and amended March 6, 1951 (P. L. 3), and clause (x) added March 6, 1951 (P. L. 3), are amended to read:"

Amend Sec. 1 (Sec. 102), page 8, lines 12 to 20; page 9, lines 1 to 6, by striking out all of said lines, and inserting:

"(w) [The term "qualified elector in actual military service" shall mean a qualified elector of this Commonwealth who is or may be in the military or naval service of the United States or any branch or unit thereof and regardless of whether such person is registered or enrolled in accordance with law.

"(x) The term "qualified bedridden or hospitalized veteran" shall mean any qualified elector of this Commonwealth who may be unavoidably absent from the State or county of his residence because of his being bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with or as a direct result of his military service.] The word "qualified absentee elector" shall mean:

"(1) Any qualified elector who is or who may be in the military service of the United States, regardless of whether, at the time of voting, he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(2) Any qualified elector who is a spouse or dependent residing with or accompanying a person in the military service of the United States, regardless of whether, at the time of voting, such spouse or dependent is present in the election district of his residence; or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered and enrolled; or

"(3) Any qualified elector who is or who may be in the service of the Merchant Marine of the United States, regardless of whether, at the time of voting, he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(4) Any qualified elector who is a spouse or dependent

residing with or accompanying a person who is in the service of the Merchant Marine of the United States, regardless of whether, at the time of voting, such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered or enrolled; or

"(5) Any qualified elector who is or who may be in a religious or welfare group officially attached to and serving with the armed forces, regardless of whether, at the time of voting, he is present in the election district of his residence or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(6) Any qualified elector who is a spouse or dependent residing with or accompanying a person in a religious or welfare group officially attached to and serving with the armed forces, regardless of whether, at the time of voting, such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered or enrolled; or

"(7) Any qualified elector who is or who may be a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia, whether or not such elector is subject to civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress, regardless of whether, at the time of voting, he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(8) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia, whether or not such person is subject to civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress, and regardless of whether, at the time of voting, such spouse or dependent is present in the election district of residence or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered and enrolled; or

"(9) Any qualified war veteran elector who is bedridden or hospitalized, due to illness or physical disability, if he is unavoidably absent from the Commonwealth or county of his residence, and regardless of whether he is registered and enrolled; or

"(10) Any qualified registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election; or

"(11) Any qualified registered and enrolled elector who is unable to go to his polling place because of illness or physical disability.

"Provide, however, That the words "qualified absentee elector" shall in no wise be construed to include persons confined in any penal institution.

"(x) The words "members of the Merchant Marine of the United States" mean persons (other than persons in military service) employed as officers or members of crews or vessels documented under the laws of the United

States or of vessels owned by the United States or of vessels of foreign flag registry under charter to or control of the United States and persons (other than persons in military service) enrolled with the United States for employment or for training for employment or maintained by the United States for emergency relief service as officers or members of crews of any such vessels, but does not include persons so employed or enrolled for such employment or for training for employment or maintained for such emergency relief on the Great Lakes or the inland waterways."

Amend Sec. 2, page 9, line 7, by striking out "THE" and inserting: "Section 102 of the."

Amend Sec. 8, page 9, lines 8 and 9, by striking out both of said lines, and inserting: "clause (x) thereof four new clauses to read:"

Amend Sec. 2, page 10, lines 6 to 19; page 11, lines 1 to 20; page 12, lines 1 to 20; page 13, lines 1 to 20; page 14, lines 1 to 20; page 15, lines 1 to 20; page 16, lines 1 to 19; page 17, lines 1 to 19; page 18, lines 1 to 20; page 19, lines 1 to 20; page 20, lines 1 to 20; page 21, lines 1 to 20, page 22, lines 1 to 19; page 23, lines 1 to 19; page 24, lines 1 to 11, by striking out all of said lines, and inserting:

"Section 102. Definitions. The following words, when used in this act, shall have the following meanings unless otherwise clearly apparent from the context:

"* * *

"(y) The word "dependent" means any person who is in fact a dependent.

"(z) The words "person authorized to administer oaths" shall mean any person who is a commissioned officer in military service, or any member of the Merchant Marine of the United States designated for this purpose by the United States Secretary of Commerce, or any civilian official empowered by any State or Federal law to administer oaths. "(z.1) The words "in military service" shall mean the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat 804, U. S. Code, Title 36, Par. 231).

"(z.2) The words "unavoidably absent" shall mean absence in good faith by reason of duties, occupation or business."

Amend Sec. 3, page 24, lines 13 to 15, by striking out all of said lines, and inserting: "Subsection (c) of section 305 of the act, reenacted and amended March 6, 1951 (P. L. 3), is amended to read:

"Section 305. Expenses of County Boards and of Primaries and Elections to Be Paid by County; Expenses of Special Elections; Board to be Provided with Offices.—

"* * *

"(c) The Commonwealth shall reimburse each city of the first class and county for election expenses incurred in and incidental to preparing, handling, mailing, delivering, counting and storing official [military] absentee ballots [and veterans' official ballots] requested by any elector in military service, Federal employment overseas, Merchant Marine and in any religious group or welfare agency assisting the Armed Forces, including spouses and dependents and bedridden and hospitalized veterans as herein provided in the sum of forty cents (40c) for each such ballot mailed or delivered.

"Each county board of elections shall file in the Department of State not later than thirty days after every elec-

tion, on a form prescribed by the Department of State, a statement of the number of ballots mailed or delivered in such manner as is now or may hereafter be provided by law to electors in actual military service and to bedridden or hospitalized veterans.

"The Department of State shall ascertain and fix the amount due as herein provided, to each city of the first class and county for election expenses incurred, and by requisition in the usual course shall provide for payment of such amounts so found due from moneys appropriated to the Department of State for such purpose, or shall prorate the moneys so appropriated among the several cities of the first class and counties to be reimbursed, if the amount so appropriated shall not be sufficient for the payment in full to each city of the first class and county of the amount found to be due.

"Section 4. Section 904 of the act, amended January 14, 1952 (P. L. 1937), is amended to read:

"Section 904. Municipal Clerks and Party Chairman to Furnish Information as to Offices to Be Filled.—To assist the respective county boards in ascertaining the offices to be filled, it shall be the duty of the clerks or secretaries of the various cities, boroughs, towns, townships and school districts [and poor districts] with the advice of their respective solicitors, on or before the [twelfth] thirteenth Tuesday preceding the Municipal primary, to send to the county boards of their respective counties a written notice setting forth all city, borough, town, township and school district [and poor district] offices to be filled in their respective subdivisions at the ensuing municipal election, and for which candidates are to be nominated at the ensuing primary. It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards, on or before the [twelfth] thirteenth Tuesday preceding the General primary, a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary, and the number of such delegates and alternate delegates who are to be elected at said primary in such county, or in any district within such county, or of which it forms a part. The said notice shall also set forth the number of members of the National committee, if any, who, under the National party rules, are to be elected at the said primary in the State at large, and the number of members of the State committee to be elected at the said primary in such county, or in any district, or part of a district within such county. It shall also be the duty of the chairman of the county committee and, in cases where a city is coextensive with a county, the chairman of the city committee of each party, on or before the [twelfth] thirteenth Tuesday preceding the General primary, to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary.

"Section 5. Section 905 of the act, amended March 6, 1951 (P. L. 3), is amended to read:

"Section 905. Secretary of the Commonwealth to Notify County Board of Certain Nominations to Be Made.—On or before the [twelfth] thirteenth Tuesday preceding each primary, the Secretary of the Commonwealth shall send to the county board of each county a written notice designating all the offices for which candidates are to be

nominated therein, or in any district of which such county forms a part, or in the State at large, at the ensuing primary, and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth, including that of President of the United States, and shall also in said notice set forth the number of presidential electors, United States Senators, Representatives in Congress and State officers, including senators, representatives and judges of courts of record, to be elected at the succeeding November election by a vote of the electors of the State at large, or by a vote of the electors of the county, or of any district therein, or of any district of which such county forms a part.

"Section 6. Section 906 of the act, amended January 14, 1952 (P. L. 1937), is amended to read:

"Section 906. Publication of Notice of Officers to Be Nominated and Elected.—Beginning not earlier than [eleven] twelve weeks, nor later than [ten] eleven weeks before any [regular] General or Municipal primary, the county board of each county shall publish in newspapers, as provided by section 106 of this act, a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary, and the number of delegates and alternate delegates who are to be elected at the said primary in said county, or in any district of which said county or part thereof forms a part, and also setting forth the names of all public offices for which nominations are to be made, and the names of all party offices including that of members of the National committee, if any, and State committee, for which candidates are to be elected at said primary in said county, or in any district of which such county or part thereof forms a part, or in the State at large. Said notice shall contain the date of the primary, and shall be published once each week for two successive weeks in counties of the first and second class and once in all other counties.

"Section 7. Section 908, subsection (d) of section 913 and subsections (b) and (c) of section 953 of the act, amended March 6, 1951 (P. L. 3), are amended to read:

"Section 908. Manner of Signing Nomination Petitions; Time of Circulating.—Each signer of a nomination petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a registered and enrolled member of the party designated in such petition; Provided, however, That where there are to be elected two or more persons to the same office, each signer may sign petitions for as many candidates for such office as, and no more than, he could vote for at the succeeding election. He shall also declare therein that he is a qualified elector of the county therein named, and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large, of the political district therein named, in which the nomination is to be made or the election is to be held. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing, expressed in words or numbers; Provided, however, That if the said political district named in the petition lies wholly within any city, borough or township, or is coextensive with same, it shall not be necessary for any signer of a nomination petition to state therein the city, borough or township of his residence.

No nomination petition shall be circulated prior to [twenty (20) days before the last day on which such petition may be filed] the thirteenth Tuesday before the primary, and no signature shall be counted unless it bears a date [within twenty (20) days of the last day of filing the same] affixed not earlier than the thirteenth Tuesday nor later than the tenth Tuesday prior to the primary.

"Section 913. Place and Time of Filing Nomination Petitions; Filing Fees.—

"* * *

"(d) All nomination petitions shall be filed [at least sixty-four (64) days] on or before the tenth Tuesday prior to the primary.

"* * *

"Section 953. Place and Time of Filing Nomination Papers.—

"* * *

"(b) No nomination paper shall be circulated prior to [twenty (20) days before the last day on which such paper may be filed] the tenth Tuesday prior to the primary, and no signature shall be counted unless it bears a date [within twenty (20) days of the last day of filing the same] affixed not earlier than the tenth Tuesday prior to the primary nor later than the seventh Tuesday prior to the primary.

"(c) All nomination papers must be filed [at least forty-four (44) days prior to the date of the primary election] on or before the seventh Tuesday prior to the primary.

"Section 8. Section 1007 of the act is amended to read:

"Section 1007. Number of Ballots to Be Printed; Specimen Ballots.—The county board of each county shall provide for each election district in which a primary is to be held, one book of fifty official ballots of each party for every forty-five registered and enrolled voters of such party and fraction thereof, appearing upon the district register, and shall provide for each election district in which an election is to be held, one book of fifty official ballots for every forty-five registered electors and fraction thereof appearing upon the district register. They [shall] may also, in addition to the number of ballots required to be printed for general distribution, have printed for each election district in which a primary is to be held not less than one book of fifty official ballots of each party for the use of the absentee electors and for each election district in which an election is to be held not less than one book of official ballots for the use of the absentee electors. They shall also, in addition to the number of ballots required to be printed for general distribution, have printed ten (10) per centum of such number, to be known as reserve official ballots, and, on tinted paper, two (2) per centum of such numbers to be known as reserve specimen ballots, which ballots shall be kept at the office of the county board for the use of any district, the ballots for which may be lost, destroyed or stolen. They shall also cause to be printed on tinted paper, and without the facsimile endorsements, permanent binding or stubs, copies of the form of ballots provided for each voting place at each primary or election therein, which shall be called specimen ballots, and which shall be of the same size and form as the official ballots, and at each election they shall deliver to the election officers, in addition to the official ballots to be used at such election, specimen ballots for the use of the electors equal in number to one-fifth of the number of official

ballots delivered to such election officers. At each primary, specimen ballots of each party shall be furnished, equal in number to one-fifth of the number of official ballots of such party furnished to the election officers as above provided.

"Section 9. The article heading and sections 1301 and 1302 of the act, added March 6, 1951 (P. L. 3), are amended to read:

"ARTICLE XIII

"Voting By [Persons In Actual Military Service] Qualified
"Absentee Electors

"Section 1301. [Qualified Electors in Actual Military Service.—Any qualified elector in actual military service may vote under the provisions of this act in any election held in this Commonwealth, regardless of whether at the time of voting he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled.] Qualified Absentee Electors.—The following persons shall be entitled to vote by an official absentee ballot in any primary or election held in this Commonwealth in the manner hereinafter provided:

"(a) Any qualified elector who is, or who may be, in the military service of the United States, regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(b) Any qualified elector who is a spouse or dependent residing with or accompanying a person in the military service of the United States, regardless of whether at the time of voting such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered and enrolled, or

"(c) Any qualified elector who is, or who may be, in the service of the Merchant Marine of the United States, regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(d) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is in the service of the Merchant Marine of the United States, regardless of whether at the time of voting such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered or enrolled, or

"(e) Any qualified elector who is or may be in a religious or welfare group officially attached to and serving with the armed forces, regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(f) Any qualified elector who is a spouse or dependent residing with or accompanying a person in a religious or welfare group officially attached to and serving with the armed forces regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered or enrolled, or

"(g) Any qualified elector who is, or who may be a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such elector is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(h) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such person is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress and regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered and enrolled, or

"(i) Any qualified war veteran elector who is bedridden or hospitalized due to illness or physical disability if he is unavoidably absent from the Commonwealth or county of his residence and regardless of whether he is registered and enrolled, or

"(j) Any qualified, registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election, or

"(k) Any qualified, registered and enrolled elector who is unable to go to his polling place because of illness or physical disability:

"Provided, however, That the words "qualified absentee elector" shall in no wise be construed to include persons confined in any penal institution.

"Section 1302. Application for Official [Military] Absentee Ballots—(a) Any qualified elector [in actual military service] defined in preceding section 1301, subsections (a) to (h) inclusive may apply at any time before any primary or election for an official [military] absentee ballot on [Form USWBC Form No. 1] post card application or any other form supplied by the Federal Government, or by post card, letter or other writing, addressed to the Secretary of the Commonwealth of Pennsylvania or the county board of election of the county in which his voting residence is located.

"(b) The application shall contain the following information: [Residence] Home residence, at the time of entrance into actual military service, or Federal employment, length of time a citizen, length of residence in Pennsylvania, date of birth, length of time a resident of voting district, voting district, party choice in case of primary, name, and for a military elector, his rank or grade, military address, branch of service and serial number. Any elector, other than a military elector, shall in addition specify the nature of his employment, the address to which ballot is to be sent, relationship where necessary and such other information as may be determined and prescribed by the Secretary of the Commonwealth. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of election.

"(c) The application of any qualified elector as defined in preceding section 1301, subsections (a) to (h) inclusive for [a military] an official absentee ballot in any primary or election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the [military] elector, as required in the preceding subsection.

"(d) The various county board of election, upon receipt of any application, shall ascertain from the information on such application, district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled. No application by any qualified elector in military services or in Federal services overseas shall be rejected for failure to include any information if such may be ascertained within a reasonable time by the county board of elections.

"(e) Any qualified bedridden or hospitalized veteran unavoidably absent from the State or county of his residence, regardless of whether he is registered or enrolled, may apply at any time before any primary or election for an official absentee ballot by post card, letter or other writing, addressed to the Secretary of the Commonwealth of Pennsylvania, or the county board of elections of the county in which his voting residence is located.

"The application shall contain the following information: Residence at the time of becoming bedridden or hospitalized, length of time a citizen, length of residence in Pennsylvania, date of birth, length of time a resident in voting district, party choice in case of primary, name and address of present residence or hospital at which hospitalized. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of election.

"The application for an official absentee ballot for any over the signature of any person who is familiar with primary or election may be made or information supplied the voting qualifications of the bedridden or hospitalized veteran as required in the preceding subsection.

"The various county boards of election, upon receipt of any application, shall ascertain from the information on such application, district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled.

"(f) Any qualified registered elector who expects to be, or is unavoidably absent from the Commonwealth or county of his residence on the day of any primary or election and any qualified registered elector who is unable to go to his polling place on the day of any primary or election because of illness or physical disability and any qualified registered bedridden or hospitalized veteran in the county or residence may apply to the Secretary of the Commonwealth of Pennsylvania or the county board of elections of the county in which his voting residence is located for an "Official Absentee Ballot." Such application or request may be made upon an application form supplied by the county board of elections. Such application form shall be determined and prescribed by the Secretary of the Commonwealth of Pennsylvania.

"(1) The application of any qualified registered elector who expects to be, or is unavoidably absent from the Commonwealth or county of his residence on the day of any primary or election, shall be signed by the applicant

and shall include the surname and Christian name or names of the applicant, his occupation, date of birth, length of time a resident in voting district, place of residence, post office address to which ballot is to be mailed, the reason for his absence and such other information as shall make clear to the county board of elections the applicant's right to an official absentee ballot.

"(2) The application of any qualified registered elector who is unable to go to his polling place on the day of any primary or election because of illness or physical disability and the application of any qualified registered bedridden or hospitalized veteran in the county of residence shall be signed by the applicant and shall include surname and Christian name or names of the applicant, his occupation, date of birth, residence at the time of becoming bedridden or hospitalized, length of time a resident in voting district, place of residence, post office address to which ballot is to be mailed and such other information as shall make clear to the county board of elections the applicant's right to an official ballot. In addition such electors shall attach to their application a declaration stating the nature of their disability or illness and the name of their attending physician if any, together with a supporting declaration signed by a registered elector unrelated by blood or marriage of the election district of the residence of the applicant: Provided, however, That such supporting declaration need not be furnished by any elector who is undergoing hospitalization.

"Section 10, The act is amended by adding after section 1302, three new sections to read:

"Section 1302.1 Date of Application for Absentees Ballots.—Applications for absentee ballots, unless otherwise specified, shall be made not earlier than fifty (50) days before any primary or election and not later than five o'clock p. m. on the day of any primary or election: Provided, however, That the duties of the county boards of elections and the registration commissions with respect to the removal of the district registration cards of any elector as set forth in section 1303, shall include only such applications as are received on or before the first Tuesday prior to any primary or election. In all cases where applications are received after the first Tuesday prior to any primary or election and before five o'clock P. M. on the day of any primary or election the board of elections shall upon canvassing the official absentee ballots under section 1308, examine the voting check list of the election district of said elector's residence and satisfy itself that such elector did not cast any ballot other than the one properly issued to him under his absentee ballot application. In all cases where the examination of the county board of elections discloses that an elector did vote a ballot, other than the one properly issued to him under the absentee ballot application, the county boards of electors shall thereupon cancel said absentee ballot and said elector shall be subject to the penalties as hereinafter set forth.

Section 1302.2. Lists of Absentee Electors.—In addition to the procedure outlined above, the county boards of elections shall post in a conspicuous public place at its office, a master list arranged by election district, getting forth the name, residence and local voting district or ward of every qualified but nonregistered elector to whom an absentee ballot has been sent, every qualified but non-registered elector who is a bedridden or hospitalized vet-

eran outside the county of residence to whom an absentee ballot has been sent, and every registered elector to whom an absentee ballot has been sent pursuant to such application made after the first Tuesday prior to any primary or election and before five o'clock P.M. on the day of any primary or election. In arranging such master list, the county boards of elections shall identify qualified but nonregistered electors by prefixing the letter "N" at the left of the name of each such elector and the letter "E" at the left of the name of each registered emergency absentee voter. This list shall be known as the "nonregistered and emergency absentee voters file" and shall be posted not later than eight o'clock P.M. on the day of any primary or election. The list shall not contain the military address or military organization of any military elector. Copies of such nonregistered and emergency absentee voters files shall be furnished upon request to the county chairman of each political party and political body and shall also be furnished to registration commissions.

"Section 1302.3. Public Inspection of Applications and Special Absentee Registration File.—It is the intention of this section, together with sections 1305 and 1307, that all applications and the special absentee registration files as provided in section 1305, be open to public inspection and that only those electors whose names appear on the "nonregistered and emergency absentee voters file" and those registered electors whose names are contained in the special absentee registration file represented fully and completely each and every elector who has availed himself of the absentee voting privilege for such primary or election.

"Section 11. Sections 1303, 1304, 1305, 1306, 1307, 1308 and 1309 of the act, amended March 6, 1951 (P. L. 3) are amended to read:

"Section 1303. Official [Military] Absentee Voters Ballots.—(a) [Ballots] in districts in which ballots are used, the ballots for use by such [military] absentee electors under the provision of this act shall be [prepared sufficiently in advance by the county boards of election and] the official ballots printed in accordance with sections 1002 and 1003: Provided, however, That the county boards of elections when detaching the official ballots for absentee electors shall be required to indicate on the stub of each ballot so detached the name of the applicant to which that precise ballot is being sent. The county boards of election shall also be required to remove the numbered stub from each ballot and shall thereupon print, stamp or endorse upon such official ballots the words "Official Absentee Ballot." Such ballots shall be distributed by such boards as hereinafter provided, [Such ballots shall be marked "Official Military Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act, which form shall be determined and prescribed by the Secretary of the Commonwealth.]

"(b) In districts in which voting machines are used, and in those districts in which paper ballots are used, and the county boards of election therein do not print official absentee ballots in accordance with sections 1002 and 1003, the ballots for use by such absentee electors under the provisions of this act shall be prepared sufficiently in advance by the county boards of elections and shall be distributed by such boards as hereinafter provided. Such Ballots shall be marked "Official Absentee Ballot" but

shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act, which form shall be determined and prescribed by the Secretary of the Commonwealth.

"In cases where there is not time, in the opinion of the county boards of election, to print on said ballots the names of the various candidates for district, county and local officers, the ballots shall contain blank spaces only under the titles of such officers in which electors may insert the names of the candidates for whom they desire to vote, and in such cases the county boards of election shall furnish to electors lists containing the names of all the candidates who have been regularly nominated under the provisions of this act, for the use of such electors in preparing their ballots.

"Section 1304. Envelopes for Official [Military] Absentee Ballots.—The county boards of election shall provide two additional envelopes for each official [military] absentee ballot of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Official [Military] Absentee Ballot," and nothing else. On the larger of the two envelopes to be enclosed within the mailing envelope shall be printed the [affidavit] form of the declaration of the elector [together with the jurat of the person in whose presence the ballot is marked and before whom the affidavit is made] and the name and address of the county board of election of the proper county. Said [affidavit, jurat] form of declaration and envelope shall be [in the form] as prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of the elector's qualifications, together with a statement that such elector has not already voted in such primary or election. The mailing envelope addressed to the elector shall contain the two envelopes, the official [military] absentee ballot, lists of candidates when authorized by Section 1303, subsection (b) of this act, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else: Provided, however, That envelopes for electors qualified under preceding section 1301, subsections (a) to (h) inclusive, shall have printed across the face of each envelope in which a ballot is sent, two parallel horizontal red bars each one-quarter inch wide, extending from one side of the envelope to the other side with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope and with the words "Official Election Balloting Material via Air Mail" between the bars, that there be printed in the upper right corner of each such envelope in a box the words "Free of U. S. Postage, Including Air Mail," that all printing on the face of each such envelope be in red and that there be printed in red in the upper left corner of ballot envelope the name and address of the county board of elections of the proper county.

"Section 1305. Duties of County Boards.—(a) The county boards of election, upon receipt of any application filed by any elector in accordance with the provisions of section 1302, subsections (a) and (s), shall [at least twenty-five days prior to the election] as soon as possible after the respective district ballots are printed, and in

no event later than the second Tuesday prior to the day of the primary or election commence to deliver or mail official [military] absentee ballots to all electors whose names and addresses have been ascertained; as additional names and addresses of such electors are ascertained, the board shall deliver or mail official [military] absentee ballots to such additional electors within forty-eight hours after ascertaining their names and addresses.

"(b) [Each county board of election shall post in a conspicuous public place at its office a master list, arranged alphabetically by election districts, setting forth the name, residence and local voting district or ward of every elector to whom an official military ballot has been sent. This posted list shall not contain the elector's military address or military organization. This list shall be known as the "Military File" and shall be posted at least five days before the election day involved, and shall also set forth the total number of such ballots prepared for use in such election. Copies of such military files shall be furnished upon request to the county chairman of each political party and political body, and shall also be furnished to registration commissions.] The county boards of elections upon receipt of any application filed by any registered qualified elector in accordance with section 1302.1 shall determine the qualifications of such applicant by comparing the information set forth on such application with the information contained on the applicant's permanent registration card. If the board is satisfied that the applicant is qualified to receive an official absentee ballot, the application shall be marked "Approved." When so approved the applicant's permanent registration card shall be removed from the district register and inserted in a special absentee registration file. Commencing on the second Tuesday prior to the day of the primary or election, the county board shall mail or deliver personally to all approved applicants an official absentee ballot or ballots and all materials in accordance with the provisions of section 1303, as additional names and addresses of electors are ascertained the board shall deliver or mail official absentee ballots to such additional electors within forty-eight hours after ascertaining their names, addresses and qualifications.

"In the event that an application is not approved by the county board, the elector shall be notified immediately to that effect with a statement by the county board of the reasons of the disapproval.

"Section 1306. Voting by Absentee Electors [in Actual Military Service].—(a) At any time after receiving an official [military] absentee ballot, but on or before the day of the primary or election the elector [for the purpose of voting, may appear before any person of this or any other state or territory of the United States authorized to administer oath by Federal, State or military laws. The elector shall first display the ballot to such person as evidence that the same is unmarked and then] shall in secret proceed to mark the ballot [with] in black lead pencil, [crayon] indelible pencil or [ink in the presence of such person but in such manner that the person administering the oath in unable to see how the same is marked] blue, black or blue-black ink in fountain pen or ball point pen and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamp-envelope shall then be placed in the second one on which is printed the [affidavit] form of declaration of the elector

[the jurat of the person before whom the elector appears] and the address of the elector's county board of election. The elector shall then fill out [subscribe] date and [swear to] sign the [affidavit] declaration printed in such envelope [and the jurat shall be subscribed and dated by the person before whom the affidavit was taken]. Such envelope shall then be securely sealed and the elector shall send same by mail, postage prepaid except where franked or deliver it in person or by representative to said county board of election.

"(b) In the event that any such elector excepting an elector in military service, or any elector unable to go to his polling place because of illness or physical disability entitled to vote an official absentee ballot shall be in the county of his residence on the day for holding the primary or election for which the ballot was issued, or in the event any such elector shall have recovered from his illness or physical disability sufficiently to permit him to present himself at the proper polling place for the purpose of casting his ballot, such absentee ballot cast by such elector shall upon challenge properly sustained be declared void.

"However, any such elector referred to in this subsection who is within the county of his residence shall be permitted to vote upon, presenting himself at his regular polling place in the same manner as he could have voted had he not received an absentee ballot: Provided, That such elector has first presented himself before the court of common pleas of his county between the hours of seven o'clock, A.M. and five o'clock P.M. on the day of any primary or election and has procured an "Emergency Voting Form" signed by the court, which form entitled the elector to vote at his regular polling place upon the signing of a voter's certificate: Provided, however, That the court may require the surrender of said elector's absentee ballot where he has not already voted which shall thereupon be marked "cancelled" by said court and transmitted to the county board of elections. In the event such elector has already voted, then the court shall direct the county board of elections to set such ballot aside unopened.

"Section 1307. [Military] Certain Electors Voting in Districts of Residence.—(a) Whenever any [qualified] elector [in actual military service] qualified in accordance with the provisions of section 1302, subsections (a) and (e), is present in his voting district of residence on any primary, municipal or general election day and has not already voted in such election, he may apply to his district election board for an official ballot and vote it in such election.

"(b) Each such application shall be in the form and shall contain the information required by this act, together with a statement by the applicant that he has not already voted in the election. All such applications shall be transmitted to the county board of election immediately upon the closing of the polls.

"(c) Upon receiving an official ballot and envelopes therefor he shall in secret in the polling place vote the ballot and [prepare it for execution of the affidavit and jurat] execute the declaration as prescribed by this act. [The affidavit shall be executed before the judge or either inspector of election and the jurat subscribed by the person before whom the affidavit is taken] The [military] elector shall then securely seal the second en-

velope and hand it to the judge of election. The judge of election shall place all such envelopes in a container marked "Official [Military] Absentee Ballots" which shall be sealed immediately upon the closing of the polls and transmitted to the county board of election.

"(d) Each district election board shall prepare a separate list of the names of all such voters, which shall be attached to the lists of voters required by the act to which this is an amendment.

"(e) Each county board of election shall prepare and deliver to each district election board on such election days an adequate supply of official ballots envelopes and other supplies as required by this act.

"(f) Each county board of election before the day fixed by this act for the canvassing of official ballots shall post, attached to the "[Military] Nonregistered and Emergency Absentee Voters File", an alphabetically arranged list setting forth the name, residence, the local voting district and ward of every military elector voting under the provisions of this section. The list shall not contain the elector's military address or military organization. Copies of such list may be furnished as in the case of copies of the [military file] "nonregistered and emergency absentee voters file."

"Section 1308. Canvassing of Official [Military] absentee Ballots.—(a) The county boards of election upon receipt of official [military] absentee ballots in such envelopes shall safely keep the same until they meet to canvass official [military] absentee ballots, which canvass shall begin immediately following the official civilian canvass for [all] the primary [election. After the November election, the canvass of official military ballots shall begin at ten o'clock A. M., Eastern Standard Time, on the second Friday following the election] or November election or the second Friday following the primary or November election whichever date is later. Said canvass to commence at ten o'clock A. M., Eastern Standard Time. No such ballots shall be counted which are received in their offices later than ten o'clock A. M., Eastern Standard Time of the second Friday following the primary election or the November election. At such time the members of the return boards or the county boards of election shall in person dispose of official [military] absentee ballots in the manner hereinafter set forth. The county boards of election may designate a sufficient number of clerks to perform such duties. When it is determined that clerks shall be appointed, the total number shall in every case be in multiples of three and each member of a county board of election shall appoint an equal number thereof.

"(b) Each candidate for nomination or election shall be entitled to appoint one watcher and each political party or body which has nominated candidates shall be entitled to appoint three watchers. Watchers shall be permitted to be present when the envelopes containing official [military] absentee ballots are opened and when such ballots are counted and recorded.

"(c) In disposing of an official [military] absentee ballot, the county return board or the county board of election shall examine the [affidavit and jurat] declaration and if the [jurat] same bears a date later than the date of [the] such primary or election the envelope shall be set aside unopened.

"(d) Whenever it shall appear by due proof that any absentee elector who has returned his ballot in accordance

with the provisions of this act has died prior to the opening of the polls on the day of the primary or election, the ballot of such deceased elector shall be rejected by the canvassers but the counting of the ballot of an elector thus deceased shall not of itself invalidate any nomination or election.

"(e) The board shall then further examine the [affidavit and jurat of] declaration on each envelope not so set aside and shall compare the information thereon with that contained in the [military] special absentee registration file and the nonregistered and emergency absentee voters file. If the board is satisfied that the elector has qualified and the board has utilized the information contained in the [military] nonregistered and emergency absentee voters file and the special absentee registration file to verify his right to vote, the board shall announce the name of the elector and shall give any person present an opportunity to challenge in like manner and for the same cause, except the failure of qualified electors set forth in preceding section 1301, subsections (a) to (i) inclusive, to register or enroll as the elector could have been challenged had he presented himself in his own district to vote other than by official [military] absentee ballot. If no challenges are sustained, the board shall open the envelope in such manner as not to destroy the [affidavit and jurat printed] declaration executed thereon. All envelopes on which are printed, stamped or endorsed the words "Official [Military] Absentee Ballot" shall be placed in one or more depositories at one time and said depository or depositories well shaken and the envelopes mixed before any envelope is taken therefrom. The board shall then break the seals of such envelopes, remove the ballots and record the votes in the same manner as district election officers are required to record votes. Upon completion of the computation of the returns of the county, the votes cast upon the official [military] absentee ballots shall be added to the other votes cast within the county.

"Section 1309. Public Records.—All official [military] absentee ballots, [military] files, applications for such ballots and envelopes on which the [jurats and affidavits] executed declarations appear and all information and lists are hereby designated and declared to be public records and shall be safely kept for a period of two years, except that no information concerning a military elector shall be made public which is expressly forbidden by the War Department because of military security.

"Section 12. The act is amended by adding after section 1309, a new section to read:

"Section 1310. Penalties.—Any person voting an official absentee ballot who wilfully falsifies the declaration or who votes any ballot other than the one properly issued to him, except as provided in section 1306, subsection (b), or who votes or attempts to vote more than once at any primary election is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars (\$1000) or imprisonment for a term not to exceed two (2) years, or both.

"Section 13. Article XIII-A of the act and its amendments are repealed"; Amend Sec. 4, page 63, line 1, by striking out "SECTION 4 ALL" and inserting: "All other"; Amend Sec. 5, page 63, line 3, by striking out "5" and inserting: "14"; Amend Sec. 6, page 63, line 6, by striking out "6" and inserting: "15"; Amend Title, page 2, last five lines of Title, by striking out all of said lines,

and inserting: "authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes; imposing additional duties upon the Secretary of the Commonwealth, various county boards of elections, and election officers, courts, various registration commissions, chairmen of political parties or committees and officers and employes, certain political subdivisions; further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel, including their families, in the event they are qualified electors; further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nomination papers; and providing penalties."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, the amendments I have offered are rather lengthy, but they restore the bill to the form it was in when it was first offered.

This is the absentee voting bill, which has been very badly emasculated by the number of amendments offered to it.

In this bill, as it now stands, even the free airmail privilege which the Federal Government provides for absentee ballots would no longer be available. As originally introduced and passed by the Democratic House of Representatives, the following categories of persons absent from their voting residence on election day would have been eligible to vote by absentee ballot: Members of the Armed Forces and Merchant Marine, their spouses and dependents; civilian Federal employees serving outside the United States, their spouses and dependents accompanying them and members of their households; and members of welfare and religious groups officially attached to and serving with Armed Forces, their spouses and dependents.

The amendments offered here in the Senate struck out all of these categories from the bill and, in substitution, offered two categories of voters. At the same time, the amendments offered here provided such an involved procedure for an individual to qualify as an absentee voter that little or no effect would result from the passage of this bill.

As you probably know, there was a great deal of fervor behind this bill. The League of Women Voters, among others, which is strictly a nonpartisan organization, offered this bill and were interested in seeing that it was passed. Both parties, in their platform pledges, guaranteed that this bill would be passed, but apparently that is not to be if these amendments are kept in the bill.

Also, the category of employees given the privilege of voting by absentee ballot, under the bill in its present form, are those qualified electors who are presently registered, but who are absent from their voting district by reason of business, duties or occupation.

The bills which we passed in the last Session dealt with veterans who were disabled and we permitted them to vote. This bill does not allow this same privilege to those civilians who might find themselves in this same position.

It seems to me that those people who are out of the

Country through no fault of their own, but are in the service of their Country, should certainly not be kept from voting. If anything, we should make it easier because the right to vote is an American privilege. I think taking it away from these people is certainly not in the best form or in the best taste in a democracy.

I believe, also, that we should try to make it as broad as possible in keeping with the fraud provisions of the Penal Code to allow people to vote, and I think we should encourage them to vote. As a matter of fact, this campaign has been going on for some time and, even with that, very few people do actually take advantage of it. I think that we should do everything that we possibly can to put people in a position to cast their ballot and make their wish known, rather than make it difficult.

This bill, as emasculated by the amendments, makes it very difficult for the absentee voter to vote, and it completely subrogates the original intent of this bill.

I ask my colleagues to vote for these amendments and, if they are adopted, I ask that the bill be moved up to Third Reading.

Mr. PECHAN. Mr. President, I object to the adoption of these amendments. I would suggest to the Minority Leader that we do not insert those amendments today because they are lengthy. I think we should look at them.

Therefore, Mr. President, I would suggest that the bill go over in its order until next Monday. By that time, all of us on this side will have had a chance to look them over. I am sure that the Elections Committee studied this very thoroughly. They made some changes in the original bill and, as I understand it from Senator Weiner, this does amend the bill back to its original form. If he will agree, I would like for this bill to go over in its order.

Mr. WEINER. Mr. President, I have no objection to this bill going over in its order. I will agree to the amendments being placed on the table, if we will take action on them on Monday. However, I would like to recommend to the gentlemen on the other side, who supported the amendments which completely emasculated the bill, that quite a lengthy article on this very matter appeared in the Sunday Harrisburg Patriot-News, of October 18, 1959, as reported by Mr. John Scotzin, a reporter in this Chamber. I think he pretty well touched upon a good many of the very points which are contained in our amendments and in the remarks that I made. I think the entire picture will be laid before these gentlemen if they will avail themselves of this study.

And the question recurring,

Will the Senate agree to the amendments?

AMENDMENTS LAID ON THE TABLE

Mr. WEINER. Mr. President, I now request that these amendments be laid on the table.

The PRESIDING OFFICER. There being no objection, the amendments will be laid on the table and the bill will go over in its order.

SENATE RESOLUTION CALLED UP

Mr. PECHAN, without objection, called up, from page 21 of the Calendar, Senate Resolution, Serial No. 79.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION ADOPTED

Mr. PECHAN. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 79.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

BILL ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of the bills reported from committee for the first time at today's session.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows: **SB 1266.**

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted Report of Conference on **SB 864**, which was placed on the Calendar.

HOUSE CONCURS IN RESOLUTIONS RECALLING SENATE BILLS FROM THE GOVERNOR

He also informed the Senate that the House has concurred in resolutions from the Senate, recalling **SB 1106** and **1133** from the Governor for the purpose of amendment.

ADJOURNMENT

Mr. PECHAN. Mr. President, I move that the Senate do now adjourn until Wednesday, December 2, 1959, at 11:00 o'clock a.m.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:30 o'clock p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, December 1, 1959

The House met at 2:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

We come to Thee, O God, in this season of the year, conscious that we are soon to celebrate the birth of Jesus Christ, Thy Son our Lord. Make us aware of the great significance of this Advent Season in our lives, and enable us to so prepare ourselves that in the hustle and bustle of our daily affairs we forget not the real meaning of things eternal.

O Father, inspire these stewards of Thine with the light of Thy great counsel, fill them with the zeal and determination to do Thy will, and lead them with the everlasting challenge of Thy purposes.

These humble petitions we ask in the hope of forgiveness, the assurance of Thy presence, and the realization of eternal life: through Jesus Christ, our Redeemer. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Friday, November 20, 1959, will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 976.

An Act providing for the lapsing of fifty per centum of certain unexpected appropriations and appropriating the remaining fifty per centum to the state teacher's college which has such unexpended funds.

Referred to the Committee on Rules.

SENATE BILL No. 1139.

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

Referred to the Committee on Rules.

SENATE BILL No. 1251.

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 871.

An Act amending the act of April 29, 1959 (P. L. 58)

entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financing Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" further regulating school bus lighting equipment.

HOUSE BILL No. 1647.

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class * * *" extending the provisions of the act to include certain per diem employees.

HOUSE BILL No. 2362.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 78) making technical changes and clarifying language.

HOUSE BILL No. 2383.

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and for the collection of such assessments claims and liens.

HOUSE BILL No. 2408.

An Act amending the act of September 23, 1959 (Act No. 381) entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties" further regulating the height of fences around premises used for raising mink.

HOUSE BILL No. 2417.

An Act amending the "Housing Authorities Law" approved May 28, 1937 (P. L. 955) providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

HOUSE BILL No. 2419.

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) conferring rights on certain provisional employees and war-duration appointees.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 505

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 505.

An Act amending the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304) extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2218

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of

Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2218.

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

COMMUNICATION AND REPORT TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that the Conference Report on House Bill No. 864, Printer's No. 1617, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 864

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 864.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 107.

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Intestate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

SENATE BILL No. 139.

An Act amending the act of July 8, 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Taddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

SENATE BILL No. 1220.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey all or any part of 7,715 square feet of land situate in East Allen Township Northampton County.

SENATE MESSAGE

RECALLING SENATE BILL No. 1106 FROM GOVERNOR

The Clerk of the Senate being introduced presented an

extract from the Journal of the Senate, which was read as follows:

In the Senate, November 30, 1959.

Resolved (the House of Representatives concurring), That Senate Bill No. 1106, Printer's No. 1316, entitled "An act amending the act of April 12, 1951 (P. L. 90) entitled 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages, amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board, providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant, prescribing penalties and forfeitures, providing for local option and repealing existing laws' changing the limit on retail licenses," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RECALLING SENATE BILL No. 1133 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 30, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 1133, Printer's No. 1584, entitled "An act amending the act of August 21, 1953 (P. L. 1254) entitled 'An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes' changing certain fees fixed by the act," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Amended House Bills returned for concurrence Nos. 1954, 2338 and 2382.

Amended Senate Bills non-concurred in by Senate, No. 785.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1251, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 109.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Resolution Serial No. 115.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1251 entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE MESSAGE

SENATE RESOLUTION SERIAL No. 115 CONGRATULATING THE JOHN CONRAD WEISER FAMILY

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, July 28, 1959.

June 25, 1960, will mark a high spot in the life and times of the John Conrad Weiser Family with the celebration of the 250th Anniversary of the arrival of the John Weiser Family at New York and the 200th Anniversary of the death of Conrad Weiser.

Born on November 2, 1696, in Wurttemberg, Germany, Conrad Weiser emigrated aboard the ship "Lyon" on June

13, 1710, to New York where the family settled at a camp along the Hudson River not far from the present Hyde Park. It is from this colony, sent to extract tar from pine trees for the British Navy, that Conrad Weiser laid the foundation of his multicolored career for when the camp broke up in 1712, Conrad was invited by a friendly Indian chief to spend the winter with him. Thus began his role as Indian ambassador and interpreter.

In 1729 Conrad Weiser moved to Pennsylvania where he built a one-room stone house at the foot of Eagle Peak in the Tulpehocken Valley. It was at this modest home that he entertained his friends, among whom were some of Europe's most distinguished citizens, nearby colonists and hundreds of native Indians, and it was from this now famous spot that he built his famous reputation as farmer, businessman, financier, church and school organizer, and outstanding religious layman. Here too he served for nineteen years as a judge of which eight were spent as the first President Judge of Berks County. Although a pacifist he volunteered as a soldier during the Indian Wars but from 1731 until his death formed the link between Pennsylvania's Indians and the government. It was this cornerstone of friendship and understanding that helped maintain the friendship of the Six Nations and helped turn the tide from French to English dominance on the North American continent; therefore be it

Resolved (the House of Representatives concurring), That the Senate commemorate the activities of a great fellow citizen, Conrad Weiser, and congratulate the John Conrad Weiser Family for continuing the ideals which he upheld; and be it further

Resolved, That a copy of this resolution be forwarded to the John Conrad Weiser Family Association, Box 121, Gettysburg, Pennsylvania, for presentment at the observance of the twin-anniversaries of the family on June 25, 1960 at Weiser Park, Womelsdorf, Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. WORLEY. Because of many of the descendants of this man living in my legislative district, I urge the adoption of this resolution.

On the question recurring,

Will the House concur in the resolution?

It was concurred in.

CHAMPION NEEDLER

The SPEAKER. The Chair has received an unusual and somewhat mystifying request. The Chair has been asked to recognize the gentleman from Wayne, Mr. Needle or the gentleman from Needle, Mr. Wayne. The Chair would like very much for the gentleman from Dauphin to explain why the Chair has been asked to recognize Mr. Needle from Wayne.

Mr. HOCKER. Mr. Speaker, it so happens that we have with us a very distinguished character from the northern tier, or the northeastern part of our state, who at a luncheon party today was declared the champion "Needler" of the House of Representatives during this past Session.

You had it a little confused, but I still think you were right. I do not know whether it is the "Needle" from Wayne or the Wayne from Needle, but I would like to introduce to the House the champion "Needler," and he has a gold needle to show us. The Honorable Arthur Wall from Wayne County.

The SPEAKER. The Chair recognizes the "Needler" from Wayne.

Mr. WALL. Mr. Speaker, Members of the House, I did not know who the gentleman from Dauphin was talking about when he said Mr. "Needler," but I happened to

be at a luncheon this noon and had a plaque presented to me. On the top of it is a nice, bronze needle. I do not know why they presented it to me, on the plaque it says, "Presented to Honorable Arthur J. Wall, the Champion Needler of the 1959 Pennsylvania Legislative Session."

If this was meant for me, I trust it was meant as a compliment, I accept it. Thank you.

Mr. LOPRESTI IN THE CHAIR

RECONSIDERATION OF VOTE ON CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1881

Mr. POLEN. Mr. Speaker, I move that the vote by which the Conference Committee Report on House Bill No. 1881, Printer's No. 2032, entitled:

"An Act amending the 'Consumer Discount Company Act,' approved April 8, 1937 (P. L. 262) further regulating the granting of licenses and providing for appeals."

was adopted by the House on Friday, November 20, 1949, be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Polen vote on the adoption of this report?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann vote on the adoption of this report?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

REPORT RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that the report of the Committee of Conference on House Bill No. 1881 be re-committed to the Committee of Conference.

The motion was agreed to.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1881

Mr. POLEN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1881.

The SPEAKER. The report will lie over for printing under the Rules.

RECONSIDERATION OF VOTE ON CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1099

Mr. McCANN. Mr. Speaker, I move that the vote by which the Conference Committee Report on House Bill No. 1099, Printer's No. 2043, entitled:

"An Act amending 'The Professional Nursing Law,' approved May 22, 1951, (P. L. 317), providing for biennial registration."

was defeated by the House on Friday, November 20, 1959, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann vote on the adoption of this report?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Washington, Mr. Polen vote on the adoption of this report?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the Conference Report be laid on the table.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 2093

Mr. NELSON. Mr. Speaker, I move that the vote by which House Bill No. 2093, Printer's No. 1902, entitled:

"An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts."

was defeated on Final Passage Tuesday, November 17, 1959, be reconsidered.

Mr. H. H. PERRY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from York, Mr. Nelson vote on the final passage of this bill?

Mr. NELSON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from York, Mr. Perry, vote on the final passage of this bill?

Mr. H. H. Perry. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 253.

An Act providing for the payment of the salary medical and hospital expenses of employes of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases.

HOUSE BILL No. 1162.

An Act amending the "City Classification Law" ap-

proved June 25, 1895 (P. L. 275) changing the mode for the advance in classification of cities upon their increase in population.

HOUSE BILL No. 1861.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" transferring the building known as Pennhurst Annex No. 1 located at Samuel G. Dixon State Hospital at Mont Alto and the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees.

HOUSE BILL No. 1997.

An Act amending the act of June 21, 1939 (P. L. 566) entitled "The Pennsylvania Occupational Disease Act" including certain diseases of fire-fighters within the meaning of the term occupational disease.

SENATE BILL No. 2218.

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

HOUSE BILL No. 2261.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the levying and collection of taxes by certain independent school districts.

HOUSE BILL No. 2292.

An Act authorizing the marking of highways and intersections in the State highway system and conferring powers on the Department of Highways.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 660, 1117, 1157, 1592, 1614, 1640, 1743, 1744, 1745, 1747, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1894, 1951, 2100, 2221, 2222, 2223, 2224, 2226, 2227, 2228, 2229, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2322, 2324, 2325, 2364, 2389, 2390, 2391, 2436, and 2447.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 660, Printer's No. 1569, entitled "An Act amending the act of June 1, 1889 (P. L. 420) entitled 'A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine' continuing in effect the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and imposing the tax upon the gross receipts of gas companies and municipalities engaged in gas business."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1117, Printer's No. 369, entitled "An Act authorizing the Department of Property and Supplies to sell and convey 10.0478 acres more or less of land situate in East Allen Township Northampton County Pennsylvania with the approval of the Governor."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1157, Printer's No. 1822, entitled "An Act making an appropriation to the Department of Property and Supplies for payment to the Borough of Indiana for defraying the Commonwealth's share of expenses and charges in connection with the construction of a sanitary trunk sewer."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1592, Printer's No. 1598, entitled "An Act amending the act of April 29, 1959 (P. L. 58) entitled 'The Vehicle Code' providing for an operator license period of two years and fixing fees relative thereto and permitting the Secretary of Revenue to divide motor vehicle operators into categories and to vary the issuance and expiration dates of operator's licenses in accordance therewith."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1614, Printer's No. 1863, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire purchase or lease certain institutions for use by the Department of Public Welfare as youth development centers giving additional powers to the Department of Public Welfare in connection with youth development centers providing for reimbursement by counties for expenses of minors committed to youth development centers and making appropriations."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1640, Printer's No. 1827, entitled "An Act providing that in cities and school districts of the first class real estate tax water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated and shall reattach as liens or judgments against the real estate against which such claims or judgments were originally assessed under certain terms and conditions."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1743, Printer's No. 1428, entitled "An Act making an appropriation to the Treasury Department out of various funds to pay replace-

ment checks issued in lieu of outstanding checks when presented and to adjust errors."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1744, Printer's No. 1429, entitled "An Act making an appropriation to the Department of Agriculture for expenses incurred in a geological survey to be made in conjunction with the Federal government."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1745, Printer's No. 1430, entitled "An Act making an appropriation to the Department of Agriculture for expenses of a complete soil survey in the Commonwealth."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1747, Printer's No. 1903, entitled "An Act making an appropriation to the Department of Commerce for rendering financial assistance to industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1749, Printer's No. 1904, entitled "An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1750, Printer's No. 1905, entitled "An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1751, Printer's No. 1906, entitled "An Act making an appropriation to the Department of Forests and Waters for the development of Erie Harbor and land adjacent thereto."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1752, Printer's No. 1907, entitled "An Act making an appropriation to the

Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1753, Printer's No. 1437, entitled "An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chase Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1754, Printer's No. 1438, entitled "An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217) entitled 'An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1937) and making an appropriation' and for the repair improvements or additions of certain sewage treatment plants."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1755, Printer's No. 1908, entitled "A Supplement to the act of April 1, 1863 (P. L. 213) entitled 'An Act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges' making an appropriation for carrying the same into effect."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1756, Printer's No. 1909, entitled "An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the establishment of a professorship in the School of Medicine and for the general maintenance and operation of the Western Psychiatric Institute and Clinic."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1757, Printer's No. 1910, entitled "An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1758, Printer's No.

1911, entitled "An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1759, Printer's No. 1912, entitled "An Act making an appropriation to the Trustees of the College of Lincoln University Chester County."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1760, Printer's No. 1913, entitled "An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1761, Printer's No. 1914, entitled "An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1762, Printer's No. 1915, entitled "An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1763, Printer's No. 1916, entitled "An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1764, Printer's No. 1917, entitled "An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1765, Printer's No. 1918, entitled "An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1766, Printer's No. 1919, entitled "An Act making an appropriation to the Moore Institute of Art Science and Industry, Philadelphia, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1767, Printer's No. 1920, entitled "An Act making an appropriation to the Berean Manual Training School at Philadelphia, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1768, Printer's No. 1921, entitled "An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1769, Printer's No. 1922, entitled "An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1770, Printer's No. 1923, entitled "An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1771, Printer's No. 1924, entitled "An Act making an appropriation to the Williamson Free School of Mechanical Trades."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1772, Printer's No. 1925, entitled "An Act making an appropriation to the Philadelphia Commercial Museum, Philadelphia."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1773, Printer's No. 1926, entitled "An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1774, Printer's No. 1927, entitled "An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1775, Printer's No. 1928, entitled "An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1776, Printer's No. 1929, entitled "An Act making an appropriation to the Drexel Institute of Technology of the State of Pennsylvania at Philadelphia Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1777, Printer's No. 1930, entitled "An Act making an appropriation to the State Public School Building Authority for payment of the costs and expenses incurred in the work of the Authority."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1778, Printer's No. 1931, entitled "An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1779, Printer's No. 1932, entitled "An Act making an appropriation to The Glen Mills School in Delaware County Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1780, Printer's No. 1933, entitled "An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1781, Printer's No.

1578, entitled "An Act making an appropriation to the City of Harrisburg, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1782, Printer's No. 1481, entitled "An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1894, Printer's No. 943, entitled "An Act making an appropriation to the Auditor General for payment of a claim settled by the Auditor General and State Treasurer acting as the board of claims and arising out of an election contest."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1951, Printer's No. 1459 entitled "An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2100, Printer's No. 1639, entitled "An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended 'Selective Sales and Use Tax Act' defining or redefining certain words terms or phrases imposing tax on soft drinks at the retail level providing for alternate imposition of tax in certain cases changing procedures relative to tax refunds or credits conferring powers and imposing duties on certain persons soliciting orders by means of catalogues or other advertising changing certain provisions relating to returns assessments and basis of such assessments imposing liabilities and duties on certain sellers transferors auctioneers and certain purchasers involved in bulk sales or auction sales transactions clarifying provisions relating to liens and the priority and effort thereof providing for suits by the Commonwealth for collection of tax granting tax suit comity to certain foreign states in certain cases regulating service of notice or process authorizing abatement of additions or penalties under certain circumstances changing the department's authority regarding enforcement of rules and regulations."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2221, Printer's No. 1934, entitled "An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 2222, Printer's No. 1461, entitled "An Act making an appropriation to the Department of Military Affairs for veterans' assistance."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2223, Printer's No. 1935, entitled "An Act making an appropriation to the Department of Military Affairs for the education of Veterans' orphans."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2224, Printer's No. 1463, entitled "An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2226, Printer's No. 1936, entitled "An Act making an appropriation to the Department of Insurance for the Governor's Hospital Study Commission to study and propose administrative improvements in hospital management."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2227, Printer's No. 1466, entitled "An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2228, Printer's No. 1467, entitled "An Act making an appropriation to the Department of Public Welfare to provide grants to local communities to provide for sheltered workshops for the mentally retarded."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2229, Printer's No. 1971, entitled "An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing and making a deficiency appropriation for the same purpose."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2302, Printer's No. 1831, entitled "An Act amending the act of April 28, 1937

(P. L. 417) entitled 'Milk Control Law' further regulating cash sales of milk on farms."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2303, Printer's No. 1413, entitled "An Act amending the act of July 19, 1957 (Appropriation Acts page 60) entitled 'General Appropriation Act of 1957' including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from state-owned institutions."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2303, Printer's No. 1414, entitled "An Act amending the act of July 10, 1959 (Appropriation Act No. 27-A) entitled 'A supplement to the act approved the nineteenth day of July one thousand nine hundred fifty-seven (Appropriation Acts page 60) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1957 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1957" by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred fifty-nine' including reimbursement to county institution districts for the care of mentally defective children subsequent to their discharge from State-owned institutions."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2305, Printer's No. 1937, entitled "An Act making appropriations to the Department of Forests and Waters for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2306, Printer's No. 1472, entitled "An Act making an appropriation to the Department of Forests and Waters for certain capital improvements for the Department of Health in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2307, Printer's No. 1938, entitled "An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Pennsylvania Historical and Museum Commission in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2308, Printer's No. 1474, entitled "An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Justice in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2309, Printer's No. 1939, entitled "An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Military Affairs in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2310, Printer's No. 1940, entitled "An Act making an appropriation to the Department of Property and Supplies for certain capital improvements for the Department of Public Instruction in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2311, Printer's No. 1477, entitled "An Act making an appropriation to the Department of Property and Supplies for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2312, Printer's No. 1478, entitled "An Act making appropriations to the Department of Property and Supplies for certain capital improvements for the Department of Public Welfare in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2313, Printer's No. 1523, entitled "An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for furnishings and equipment grading and landscaping of grounds and improvement of roadways."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 2322, Printer's No. 1857, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing for additional payments to certain school districts."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2324, Printer's No. 2013, entitled "An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2325, Printer's No. 1942, entitled "An Act making an appropriation to the Department of Public Welfare for the maintenance of certain homes."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2364, Printer's No. 1683, entitled "An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employees' Retirement System creating a special fund in the custody of the State Treasurer imposing duties on the State Employees' Retirement Board and making an appropriation."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2389, Printer's No. 1719, entitled "An Act amending the act of May 22, 1935 (P. L. 233) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' authorizing payments to beneficiaries of the fund while employed in the service of certain governments and validating and confirming such payments previously made."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2390, Printer's No. 1720, entitled "An Act amending the act of May 25, 1933 (P. L. 1050) entitled 'An Act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' authorizing pay-

ments to beneficiaries of the fund while employed in the service of certain governments and validating previous payments to beneficiaries while employed in such government service."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2391, Printer's No. 1747, entitled "An Act amending the act of May 28, 1915 (P. L. 596) entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions' prohibiting the suspension of pension payments due to certain government employment of pensioners and validating and confirming such payments previously made."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2436, Printer's No. 1873, entitled "An Act amending the act of June 1, 1956 (P. L. 1959) entitled 'An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts' changing time for payment of certain portions of salary and expenses."

DAVID L. LAWRENCE.

November 21, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2447, Printer's No. 2040, entitled "An Act amending the act of June 1, 1956 (P. L. 1959) entitled 'An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and Judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts' changing the compensation of members of the General Assembly."

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 2018

Mr. McCANN. Mr. Speaker, I move that the vote by which House Bill No. 2018, Printer's No. 1976, entitled:

"An Act amending the act of May 29, 1945 (P. L. 1132) entitled, 'An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *,' further regulating the salary of the first aid and mine rescue instructors."

was defeated on Final Passage Thursday, November 19, 1959, be reconsidered.

Mr. ROVANSEK. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Cambria, Mr. Rovanseck vote on the final passage of this bill?

Mr. ROVANSEK. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

HOUSE BILL No. 2018 LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the bill be laid on the table.

The motion was agreed to.

INTERROGATION

Mr. McCANN asked and obtained unanimous consent to interrogate the Minority Leader.

Mr. McCANN. Mr. Speaker, will the Minority Leader inform the Members of this House as to the information he has regarding the operation of the Senate for this week?

Mr. A. W. JOHNSON. I will.

Mr. Speaker, I just talked to the Majority Leader of the Senate. He informs me that tomorrow will be the last day of the week for the Senate. They will come in early tomorrow and have a very short session. They plan to reconvene next Monday.

Mr. McCANN. Mr. Speaker, then the Senate will operate tomorrow, Wednesday, and recess for the week, coming back on Monday, December 7, is that right?

Mr. A. W. JOHNSON. That is correct.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

Since the Senate will be sending over to the House a resolution, this House will operate only tomorrow.

Since we are right up with the Senate day by day as the bills come over from the Senate, we are in a position to concur or nonconcur. We have all of our work completed, and this House will operate right with the Senate schedule, day by day.

Under those conditions, since I have sent a notice to all of the Democratic Members of this House to plan to be here, Tuesday, Wednesday, Thursday and Friday, they may plan now, according to the information the Minority Leader gave us, to go home tomorrow, Wednesday, following the end of the Session.

I ask now that all of the Members, some of whom were planning to go home tonight, stay over because we will move everything on the calendar one way or another. Whether it passes or fails it is moving right off the calendar.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of of House Bill No. 2458, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) exempting inmates of State institutions from license requirements.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, before we proceed further on this calendar I would like to call a caucus of the Republican Members, not to exceed one-half hour.

Mr. McCANN. Mr. Speaker, the Democratic Members will not caucus. We will ask that they just take a little bit of ease while the Republican Members caucus covering the calendar. We will act on all the bills on the calendar here today and they will be voted on. So as soon as they return, we will proceed.

RECESS

The SPEAKER pro tempore. If there is no objection, the Chair will declare a recess for one-half hour for the purpose of a Republican caucus.

The Chair hears no objection, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Mr. COMER. HOUSE BILL No. 2459.

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers on the Department of highways and local authorities * * * for sharing of the cost * * * of such highways.

Referred to the Committee on Highways.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1241.

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania by fixing a time limit upon the duration of regular sessions and limiting the power of the Governor to convene special sessions.

Referred to the Committee on Judiciary.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2429 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, November 21, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2429, Printer's No. 1835, for further consideration.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. POLEN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. BURNS for the week because of illness.

Mrs. Varallo for Mr. POLASKI for today.

Mrs. Varallo for Mrs. MONROE for the week because of illness.

Mrs. Varallo for Mr. REIDENBACH for the week because of illness.

Mr. Tompkins for Mr. WILLAREDT for the week.

Mr. Tompkins for Mr. AUKER for the week.

Mr. Tompkins for Mr. H. G. MILLER for the week.

Mr. Tompkins for Mrs. DONAHUE for the week.

Mr. Tompkins for Mr. BLAIR for the week due to death in family.

Mr. Tompkins for Mr. JUMP for the week because of illness.

Mr. Tompkins for Mr. WILT for the week.

Mr. Tompkins for Mr. M. H. GOLDSTEIN for the week.

Mr. Tompkins for Mr. DONALDSON for the week.

Mr. Tompkins for Mr. GIBB for the week.

PERMISSION TO ADDRESS HOUSE

Mr. SCHAFF asked and obtained unanimous consent to address the House.

Mr. Speaker, ladies and gentlemen of the House, in this afternoon's Evening News there is a rather complete report of the crash of the Allegheny Airline's Flight 372, I believe, on the site of Bald Eagle Mountain outside of Williamsport. This was a flight which left Harrisburg this morning and which was due to arrive in my home city of Erie some time after 11:00 o'clock this morning. From the reports that are available it appears that of the 25

people aboard this plane all with the exception of one were killed.

This crash concerns a Member of this House, incidentally, my good friend and colleague from Erie County, Stanley Blair, whose cousin was aboard this plane. Stanley at the present time is on his way home, as I understand it, to at least assist in the making of arrangements for her burial.

I believe that I myself, and certainly I would take the liberty of speaking for the Membership of this House, sympathize with each and every member of the families of these people, sympathize with the loved ones of these people and offer condolences for their loss. I sympathize also, and I hope the House will join me in this, because it is sort of a back-handed commendation, but I do sympathize with Allegheny Airlines.

A short time ago I made a speech in this House concerning the lack of communication that the city of Erie has with the rest of the state. Allegheny Airlines was our main link, or at least my main link. As a matter of fact, I left Erie shortly after 9:00 o'clock this morning and came down on an Allegheny Airlines' flight going the other way. They have offered to the people of our city, good, courteous and efficient service. According to this paper's report, this is their first accident in 22 years. So, while I sympathize with them, at the same time I commend Allegheny Airlines and I think this is the type of tragedy which we many times read about but sometimes it is a little bit far from us and we do not really appreciate it.

One last thing. I see, according to the newspaper, that one of the persons killed, or believed to have been killed, was the flight steward. If he is the young man who I think he is, then I can only say that in almost a year that I have been coming down here, in the many times he has served the flights on which I have flown, he was a good, conscientious and faithful servant.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 107.

An Act amending the act of April 24, 1947 (P. L. 80) entitled "Intestate Act of 1947" providing for the grandchildren of deceased uncles and aunts of the decedent.

SENATE BILL No. 139.

An Act amending the act of July 8, 1957 (P. L. 579) entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction" fixing the salaries increments and added compensation of teachers and supervisors.

SENATE BILL No. 304.

An Act amending the act of July 28, 1953 (P. L. 723) entitled "Second Class County Code" providing for the creation of capital reserve funds for capital expenditures.

SENATE BILL No. 990.

An Act amending the act of May 5, 1933 (P. L. 364) entitled "Business Corporation Law" changing the relationship of certain corporate directors to the corporation from fiduciaries to employees.

SENATE BILL No. 1220.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey all or any part of 7,715 square feet of land situate in East Allen Township Northampton County.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION CONGRATULATIONS

Mrs. VARALLO, in behalf of the Philadelphia delegation, asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, December 1, 1959.

The Honorable Sarah A. Anderson, in celebrating her thirty-seventh wedding anniversary, marks another milestone of happy family life.

While rearing a large family, Mrs. Anderson remained active in civic and governmental matters. Her splendid use of her time and energy in combining domestic and public activities sets her apart as a citizen to be admired and respected as a truly exemplary person. She has long been an inspiration to her friends and associates; therefore be it

Resolved, That this House of Representatives hereby extends its collective good wishes and the hearty congratulations of its individual members, to its esteemed and highly respected colleague, the Honorable Sarah A. Anderson; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Sarah A. Anderson.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Anderson.

Mrs. ANDERSON. Mr. Speaker, Officers and Members of the House, you have taken me by surprise. I did not know that anybody would find out about the anniversary today. I want to thank you from the depth of my heart for the flowers and the resolution and hope that I am proving to be a real American mother.

REPORT FROM COMMITTEE

Mrs. MUNLEY from the Committee on Highways, reported as committed, House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers upon the Department of Highways and local authorities * * * for sharing of the cost * * * of such highways.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain

streets in cities of the first class and certain streets in cities of the second class second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers upon the Department of Highways and local authorities * * * for sharing of the cost * * * of such highways.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1822, entitled:

An Act amending the "State Council of Civil Defense Act of 1951" approved March 10, 1951 (P. L. 28) making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

| | | | |
|-------------|-------------------|-------------------|-----------------------|
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Galley, | McCann, | Royer, |
| Ashton, | Gallagher, | McCormack, | Rudisill, |
| Balthaser, | Garlock, | McDonald, | Sakulsky, |
| Barton, | Gelfand, | McInroy, | Scarcelli, |
| Bell, | Goldstein, J. H., | McLaughlin, | Schaaf, |
| Boles, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Magee, | Seltzer, |
| Boris, | Hamilton, | Mahan, | Sherman, |
| Bower, | Heavey, | Maxwell, | Shupnik, |
| Bowman, | Heffner, | Meholchick, | Snare, |
| Branca, | Henzel, | Merry, | Snider, |
| Brenninger, | Hocker, | Mihm, | Stank, |
| Brown, | Holliday, | Miller, B. Z., | Steckel, |
| Buchanan, | Holt, | Mills, | Stevens, |
| Capano, | Horst, | Muldowney, | Stewart, |
| Capitolo, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Comer, | Jim, | Murphy, P. J., | Sullivan, |
| Crossin, | Johnson, A. W., | Murray, H. P., | Taylor, |
| Curwood, | Johnson, R., | Musto, | Thompson, |
| Davis, | Jones, F. R., | Naugle, | Tompkins, |
| Dengler, | Jones, T. H. W., | Needham, | Ujobal, |
| Dennis, | Kamyk, | Nelson, | Varallo, |
| Dennison, | Kee, | O'Donnell, J. A., | Varner, |
| Devlin, | Kelser, | O'Donnell, J. P., | Verona, |
| Dougherty, | Kernaghan, | O'Neil, | Wall, |
| Down, | Kessler, | Odorisio, | Walsh, |
| Edwards, | Knecht, | Ogilvie, | Wargo, |
| Ellberg, | Kooker, | Parlante, | Weldner, |
| Eshback, | Kornick, | Pashley, | Welsh, |
| Eshleman, | Korns, | Perry, H. H., | Wheeler, |
| Ewing, | Kubitsky, | Perry, P. E., | Whittaker, |
| Farabaugh, | Lee, A. M., | Petrofsky, | Williams, A. D., Jr., |
| Fetterolf, | Lee, K. B., | Polen, | Willard, |
| Filo, | Leonard, | Prendergast, | Wood, |
| Fineman, | Light, | Price, | Worley, |
| Floyd, | Limper, | Pursley, | Wynd, |
| Flynn, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |

Speaker

NAYS—0

NOT VOTING—41

| | | | |
|--------|-------------------|--------------------|------------|
| Agnew, | George, | Markley, | Schuster, |
| Auker, | Gibb, | Miller, H. G., | Silverman, |
| Blair, | Goldstein, M. H., | Monroe, | Stimmel, |
| Breth, | Goodrich, | Moran, | Stone, |
| Burns, | Helm, | Murphy, A. J., Jr. | Streup, |

Cioffi,
Clarke
Cooper,
Donahue,
Donaldson,
Foerster,

Irlis,
Jump,
Kovolenko,
Lamb,
McKeever,

Murray, J. J.,
Murray, P. G.,
O'Dell,
Polaski,
Reidenbach,

Trusio,
Wescott,
Williams, E. S.,
Willaredt,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2376, entitled:

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

| | | | |
|-------------|-------------------|-------------------|-----------------------|
| Anderson, | Fulmer, | McCandless, | Rovansek, |
| Arlene, | Galley, | McCann, | Royer, |
| Ashton, | Gallagher, | McCormack, | Rudisill, |
| Balthaser, | Garlock, | McDonald, | Sakulsky, |
| Barton, | Gelfand, | McInroy, | Scarcelli, |
| Bell, | Goldstein, J. H., | McLaughlin, | Schaaf, |
| Boles, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Magee, | Seltzer, |
| Boris, | Hamilton, | Mahan, | Sherman, |
| Bower, | Heavey, | Maxwell, | Shupnik, |
| Bowman, | Heffner, | Meholchick, | Snare, |
| Branca, | Henzel, | Merry, | Snider, |
| Brenninger, | Hocker, | Mihm, | Stank, |
| Brown, | Holliday, | Miller, B. Z., | Steckel, |
| Buchanan, | Holt, | Mills, | Stevens, |
| Capano, | Horst, | Muldowney, | Stewart, |
| Capitolo, | Isaacs, | Mullen, | Stoner, |
| Cianfrani, | Jenkins, | Munley, | Strausser, |
| Comer, | Jim, | Murphy, P. J., | Sullivan, |
| Crossin, | Johnson, A. W., | Murray, H. P., | Taylor, |
| Curwood, | Johnson, R., | Musto, | Thompson, |
| Davis, | Jones, F. R., | Naugle, | Tompkins, |
| Dengler, | Jones, T. H. W., | Needham, | Ujobal, |
| Dennis, | Kamyk, | Nelson, | Varallo, |
| Dennison, | Kee, | O'Donnell, J. A., | Varner, |
| Devlin, | Kelser, | O'Donnell, J. P., | Verona, |
| Dougherty, | Kernaghan, | O'Neil, | Wall, |
| Down, | Kessler, | Odorisio, | Walsh, |
| Edwards, | Knecht, | Ogilvie, | Wargo, |
| Ellberg, | Kooker, | Parlante, | Weldner, |
| Eshback, | Kornick, | Pashley, | Welsh, |
| Eshleman, | Korns, | Perry, H. H., | Wheeler, |
| Ewing, | Kubitsky, | Perry, P. E., | Whittaker, |
| Farabaugh, | Lee, A. M., | Petrofsky, | Williams, A. D., Jr., |
| Fetterolf, | Lee, K. B., | Polen, | Willard, |
| Filo, | Leonard, | Prendergast, | Wood, |
| Fineman, | Light, | Price, | Worley, |
| Floyd, | Limper, | Pursley, | Wynd, |
| Flynn, | Lippincott, | Reibman, | Yatron, |
| Fox, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |

Speaker

NAYS—0

NOT VOTING—41

| | | | |
|--|---|--|--|
| Agnew, Auker, Blair, Breth, Burns, Cioffi, Clarke, Cooper, Donahue, Donaldson, Foerster, | George, Gibb, Goldstein, M. H., Goodrich, Helm, Irviss, Jump, Kovolenko, Lamb, McKeever, | Markley, Miller, H. G., Monroe, Moran, Murphy, A. J., Jr., Murray, J. J., Murray, P. G., O'Dell, Polaski, Reidenbach, | Schuster, Silverman, Stimmel, Stone, Stroup, Trusio, Wescott, Williams, E. S., Willaredt, Wilt, |
|--|---|--|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 2096, entitled:

An Act relating to water well drillers * * * providing for the revocation of suspension of licenses and prescribing unlawful acts and penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—135

| | | | |
|---|---|--|--|
| Anderson, Arlene, Ashton, Balthaser, Barton, Bell, Boles, Bonner, Boris, Bower, Branca, Brenninger, Brown, Buchanan, Capano, Capitolo, Cianfrani, Comer, Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Dougherty, Down, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, | Fineman, Floyd, Flynn, Frank, Frascella, Fulmer, Gailey, Gallagher, Garlock, Gelfand, Goldstein, J. H., Guthrie, Hamilton, Heavey, Henzel, Holt, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kernaghan, Knecht, Kooker, Kornick, Korns, Kubitsky, Lee, A. M., Lee, K. B., Leonard, | Limper, Lopresti, Lulgard, Lutty, McCann, McCormack, McDonald, McLaughlin, Machmer, Maxwell, Meholchick, Mihm, Miller, B. Z., Mills, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polen, Prendergast, Price, | Reibman, Renwick, Riley, Rovanseck, Rudisill, Sakulsky, Scarcelli, Schaaaf, Schwartz, Seltzer, Sherman, Shupnik, Snare, Snider, Stank, Steckel, Stewart, Stoner, Sullivan, Taylor, Tompkins, Ujobai, Varallo, Verona, Walsh, Wargo, Welsh, Wheeler, Willard, Wynd, Yatron, Yetter, Andrews, Speaker |
|---|---|--|--|

NAYS—33

| | | | |
|---|--|--|--|
| Bowman, Ewing, Fox, Gramlich, Heffner, Hocker, Holliday, Horst, Kelser, | Kessler, Light, Lippincott, McCandless, McInroy, Magee, Mahan, Merry, | Naugle, Ogilvie, Pursley, Rigby, Royer, Stevens, Strausser, Thompson, | Varnier, Wall, Weidner, Whittaker, Williams, A. D., Jr., Wood, Worley, Zimmerman, |
|---|--|--|--|

NOT VOTING—41

| | | | |
|----------------------------|---------------------------------------|---------------------------------------|-------------------------------------|
| Agnew, Auker, Blair, | George, Gibb, Goldstein, M. H., | Markley, Miller, H. G., Monroe, | Schuster, Silverman, Stimmel, |
|----------------------------|---------------------------------------|---------------------------------------|-------------------------------------|

| | | | |
|--|--|---|---|
| Breth, Burns, Cioffi, Clarke, Cooper, Donahue, Donaldson, Foerster, | Goodrich, Helm, Irviss, Jump, Kovolenko, Lamb, McKeever, | Moran, Murphy, A. J., Jr., Murray, J. J., Murray, P. G., O'Dell, Polaski, Reidenbach, | Stone, Stroup, Trusio, Wescott, Williams, E. S., Willaredt, Wilt, |
|--|--|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2019, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania * * *" regulating the salary of electrical inspectors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—131

| | | | |
|---|--|--|--|
| Anderson, Arlene, Bell, Boles, Bonner, Boris, Bower, Branca, Buchanan, Capano, Capitolo, Cianfrani, Comer, Davis, Dengler, Dennis, Dennison, Devlin, Dougherty, Down, Edwards, Ellberg, Eshback, Ewing, Fetterolf, Filo, Fineman, Flynn, Fox, Frank, Frascella, Fulmer, Gailey, | Gallagher, Garlock, Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Keiser, Kernaghan, Knecht, Kooker, Kornick, Korns, Kovolenko, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Lulgard, | Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Magee, Mahan, Maxwell, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Murphy, P. J., Murray, H. P., Naugle, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Petrosky, Polen, Price, Pursley, Rigby, Riley, Rovanseck, Royer, Rudisill, | Sakulsky, Scarcelli, Schaaaf, Schwartz, Seltzer, Sherman, Snare, Snider, Stank, Stevens, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Ujobai, Varallo, Verona, Wall, Walsh, Weidner, Welsh, Wheeler, Williams, A. D., Jr., Willard, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|--|--|--|

NAYS—34

| | | | |
|---|---|--|--|
| Ashton, Balthaser, Barton, Bowman, Brenninger, Brown, Crossin, Curwood, Eshleman, | Farabaugh, Goldstein, J. H., Horst, Johnson, R., Kessler, Light, Machmer, Meholchick, Mullen, | Munley, Musto, Needham, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., | Perry, P. E., Prendergast, Shupnik, Steckel, Stewart, Wargo, Worley, |
|---|---|--|--|

NOT VOTING—44

| | | | |
|------------------|-----------------------|-----------------------|-------------------------|
| Agnew, Auker, | Foerster, Gelfand, | McKeever, Markley, | Schuster, Silverman, |
|------------------|-----------------------|-----------------------|-------------------------|

| | | | |
|---|--|--|---|
| Blair, Breth, Burns, Cioffi, Clarke, Cooper, Donahue, Donaldson, Floyd, | George, Gibb, Goldstein, M. H., Goodrich, Helm, Irvis, Jump, Kubitsky, Lamb, | Miller, H. G., Monroe, Moran, Murphy, A. J., Jr., Murray, J. J., Murray, P. G., O'Dell, Polaski, Reidenbach, | Stimmel, Stone, Stroup, Trusio, Wescott, Whittaker, Williams, E. S., Willaredt, Wilt, |
|---|--|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

HOUSE BILL No. 2018 TAKEN FROM TAKEN

Mr. McCANN. Mr. Speaker, I move that House Bill No. 2018, Printer's No. 1976, be taken from the table.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration on final passage of House Bill No. 2018, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *" further regulating the salary of the first aid and mine rescue instructors.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—134

| | | | |
|---|---|--|---|
| Anderson, Arlene, Bell, Boles, Bonner, Boris, Bower, Branca, Buchanan, Capano, Capitolo, Cianfrani, Comer, Davis, Dengler, Dennis, Dennison, Devlin, Dougherty, Down, Edwards, Eilberg, Eshback, Ewing, Fetterolf, Filo, Fineman, Flynn, Fox, Frank, Frascella, Fulmer, Galley, Gallagher, | Garlock, Goldstein, M. H., Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Keiser, Kernaghan, Knecht, Kooker, Kornick, Korns, Kovolenko, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, | McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Magee, Mahan, Maxwell, Merry, Mihm, Miller, B. Z., Mills, Muldowney, Murphy, P. J., Murray, H. P., Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, O'Neill, Petrosky, Polen, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovasek, Royer, Rudisill, | Sakulsky, Scarcelli, Schaaf, Schwartz, Seitzer, Sherman, Snare, Snider, Stank, Stevens, Stoner, Strausser, Sullivan, Taylor, Thompson, Tompkins, Ujobal, Varallo, Varnier, Verona, Wall, Walsh, Weidner, Welsh, Wheeler, Williams, A. D., Jr., Willard, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|--|---|

NAYS—32

| | | | |
|--|--|---|---|
| Ashton, Balthaser, Barton, Bowman, Brenninger, Brown, Crossin, Curwood, | Eshleman, Farabaugh, Goldstein, J. H., Horst, Johnson, R., Kessler, Light, Machmer, | Meholchick, Mullen, Munley, Musto, Ogilvie, Parlante, Pashley, Perry, H. H., | Perry, P. E., Prendergast, Shupnik, Steckel, Stewart, Wargo, Wood, Worley, |
|--|--|---|---|

NOT VOTING—43

| | | | |
|---|---|---|---|
| Agnew, Auker, Blair, Breth, Burns, Cioffi, Clarke, Cooper, Donahue, Donaldson, Floyd, | Foerster, Gelfand, George, Gibb, Goodrich, Helm, Irvis, Jump, Kubitsky, Lamb, McKeever, | Markley, Miller, H. G., Monroe, Moran, Murphy, A. J., Jr., Murray, J. J., Murray, P. G., O'Dell, Polaski, Reidenbach, Schuster, | Silverman, Stimmel, Stone, Stroup, Trusio, Wescott, Whittaker, Williams, E. S., Willaredt, Wilt, |
|---|---|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 2295, Printer's No. 2004, was passed over at the request of the SPEAKER.

Mr. McCANN asked and obtained unanimous consent to call up out of order Senate Bill No. 1175 on page 3 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1175, entitled:

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

| | | | |
|--|---|---|--|
| Anderson, Arlene, Bell, Boles, Bonner, Boris, Bower, Branca, Buchanan, Capano, Capitolo, Cianfrani, Comer, Davis, Dengler, Dennis, Dennison, Devlin, Dougherty, Down, Edwards, Eilberg, Eshback, Ewing, Fetterolf, Filo, Fineman, Flynn, Fox, Frank, Frascella, Fulmer, | Galley, Gallagher, Garlock, Goldstein, M. H., Gramlich, Guthrie, Hamilton, Heavey, Heffner, Henzel, Hocker, Holliday, Holt, Isaacs, Jenkins, Jim, Johnson, A. W., Jones, F. R., Kamyk, Kee, Keiser, Kernaghan, Knecht, Kooker, Kornick, Korns, Kovolenko, Lee, A. M., Lee, K. B., Leonard, Limper, Lippincott, | Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald, McInroy, McLaughlin, Magee, Mahan, Maxwell, Merry, Mihm, Miller, B. Z., Mills, Murphy, P. J., Murray, H. P., Naugle, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Petrosky, Polen, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovasek, Royer, | Rudisill, Sakulsky, Scarcelli, Schaaf, Schwartz, Seitzer, Sherman, Snare, Snider, Stank, Stevens, Stoner, Strausser, Thompson, Tompkins, Ujobal, Varnier, Verona, Wall, Walsh, Weidner, Welsh, Wheeler, Williams, A. D., Jr., Willard, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|---|--|

NAYS—41

| | | | |
|-------------|-------------------|---------------|--------------|
| Ashton, | Goldstein, J. H., | Munley, | Prendergast, |
| Balthaser, | Horst, | Musto, | Shupnik, |
| Barton, | Johnson, R., | Needham, | Steckel, |
| Bowman, | Jones, T. H. W., | Nelson, | Stewart, |
| Brenninger, | Kessler, | Ogilvie, | Sullivan, |
| Brown, | Light, | O'Neill, | Taylor, |
| Crossin, | Machmer, | Parlante, | Varallo, |
| Curwood, | Meholchick, | Pashley, | Wargo, |
| Eshleman, | Muldowney, | Perry, H. H., | Wood, |
| Farabaugh, | Mullen, | Perry, P. E., | Worley, |
| Frascella, | | | |

NOT VOTING—42

| | | | |
|------------|-----------|--------------------|------------------|
| Agnew, | Gelfand, | Miller, H. G., | Silverman, |
| Auker, | George, | Monroe, | Stimmel, |
| Blair, | Gibb, | Moran, | Stone, |
| Breth, | Goodrich, | Murphy, A. J., Jr. | Stroup, |
| Burns, | Helm, | Murray, J. J., | Trusio, |
| Cioffi, | Irvis, | Murray, P. G., | Wescott, |
| Clarke, | Jump, | O'Dell, | Whittaker, |
| Cooper, | Kubitsky, | Polaski, | Williams, E. S., |
| Donahue, | Lamb, | Reidenbach, | Willaredt, |
| Donaldson, | McKeever, | Schuster, | Wilt, |
| Floyd, | Markley, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 209, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

| | | | |
|-------------|-------------------|-------------------|------------|
| Anderson, | Galley, | Lutty, | Rovansek, |
| Arlene, | Gallagher, | McCandless, | Royer, |
| Ashton, | Garlock, | McCann, | Rudisill, |
| Balthaser, | Gelfand, | McCormack, | Sakulsky, |
| Barton, | Goldstein, J. H., | McDonald, | Scarcell, |
| Bell, | Goldstein, M. H., | McInroy, | Schaaf, |
| Boles, | Gramlich, | McLaughlin, | Schwartz, |
| Bonner, | Guthrie, | Machmer, | Seltzer, |
| Boris, | Hamilton, | Magee, | Sherman, |
| Bower, | Heavey, | Mahan, | Shupnik, |
| Bowman, | Heffner, | Maxwell, | Snare, |
| Brenninger, | Henzel, | Meholchick, | Snider, |
| Brown, | Hocker, | Merry, | Stank, |
| Buchanan, | Holliday, | Mihm, | Steckel, |
| Capano, | Holt, | Miller, B. Z., | Stevens, |
| Capitolo, | Horst, | Mills, | Stewart, |
| Cianfrani, | Isaacs, | Muldowney, | Stoner, |
| Comer, | Jenkins, | Mullen, | Strausser, |
| Crossin, | Jim, | Munley, | Sullivan, |
| Curwood, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Davis, | Johnson, R., | Murray, H. P. | Thompson, |
| Dengler, | Jones, F. R., | Musto, | Tompkins, |
| Dennis, | Jones, T. H. W., | Naugle, | Ujobal, |
| Dennison, | Kamyk, | Needham, | Varallo, |
| Devlin, | Kee, | Nelson, | Varnier, |
| Dougherty, | Keiser, | O'Donnell, J. A., | Verona, |
| Down, | Kernaghan, | O'Dorisio, | Wall, |
| Edwards, | Kessler, | Ogilvie, | Walsh, |
| Elberg, | Knecht, | O'Neill, | Wargo, |
| Eshback, | Kooker, | Parlante, | Weldner, |
| Eshleman, | Kornick, | Pashley, | Welsh, |
| Ewing, | Korns, | Perry, H. H., | Wheeler, |
| Farabaugh, | Kovolenko, | Perry, P. E., | Whittaker, |

| | | | |
|------------|-------------|--------------|----------------------|
| Fetterolf, | Kubitsky, | Petrosky, | Williams, A.D., Jr., |
| Filo, | Lee, A. M., | Polen, | Willard, |
| Fineman, | Lee, K. B., | Prendergast, | Wood, |
| Floyd, | Leonard, | Price, | Worley, |
| Flynn, | Light, | Pursley, | Wynd, |
| Fox, | Limper, | Reibman, | Yatron, |
| Frank, | Lippincott, | Renwick, | Yetter, |
| Frascella, | Lopresti, | Rigby, | Zimmerman, |
| Fulmer, | Luigard, | Riley, | Andrews, |
| | | | Speaker |

NAYS—2

Branca, O'Donnell, J. P.,

NOT VOTING—39

| | | | |
|------------|-----------|---------------------|------------------|
| Agnew, | Foerster, | Miller, H. G., | Silverman, |
| Auker, | George, | Monroe, | Stimmel, |
| Blair, | Gibb, | Moran, | Stone, |
| Breth, | Goodrich, | Murphy, A. J., Jr., | Stroup, |
| Burns, | Helm, | Murray, J. J., | Trusio, |
| Cioffi, | Irvis, | Murray, P. G., | Wescott, |
| Clarke, | Jump, | O'Dell, | Williams, E. S., |
| Cooper, | Lamb, | Polaski, | Willaredt, |
| Donahue, | McKeever, | Reidenbach, | Wilt, |
| Donaldson, | Markley, | Schuster, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 773, Printer's No. 1582, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 932, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

| | | | |
|-------------|-------------------|----------------|------------|
| Anderson, | Galley, | McCandless, | Royer, |
| Arlene, | Gallagher, | McCann, | Rudisill, |
| Ashton, | Garlock, | McCormack, | Scarcell, |
| Balthaser, | Gelfand, | McDonald, | Sakulsky, |
| Barton, | Goldstein, J. H., | McInroy, | Schaaf, |
| Bell, | Goldstein, M. H., | McLaughlin, | Schwartz, |
| Boles, | Gramlich, | Machmer, | Seltzer, |
| Bonner, | Guthrie, | Magee, | Sherman, |
| Boris, | Hamilton, | Mahan, | Shupnik, |
| Bower, | Heavey, | Maxwell, | Snare, |
| Bowman, | Heffner, | Meholchick, | Snider, |
| Branca, | Henzel, | Merry, | Stank, |
| Brenninger, | Hocker, | Mihm, | Steckel, |
| Brown, | Holliday, | Miller, B. Z., | Stevens, |
| Buchanan, | Holt, | Mills, | Stewart, |
| Capano, | Horst, | Muldowney, | Stoner, |
| Capitolo, | Isaacs, | Mullen, | Strausser, |
| Cianfrani, | Jenkins, | Munley, | Sullivan, |
| Comer, | Jim, | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, A. W., | Murray, H. P. | Thompson, |
| Curwood, | Johnson, R., | Musto, | Tompkins, |

| | | | |
|------------|------------------|-------------------|-----------------------|
| Davis, | Jones, F. R., | Naugle, | Ujobai, |
| Dengler, | Jones, T. H. W., | Needham, | Varallo, |
| Dennis, | Kamyk, | Nelson, | Varner, |
| Dennison, | Kee, | O'Donnell, J. A., | Verona, |
| Devlin, | Keiser, | O'Donnell, J. P., | Wall, |
| Dougherty, | Kernaghan, | Odoristo, | Walsh, |
| Down, | Kessler, | Ogilvie, | Wargo, |
| Edwards, | Knecht, | O'Neill, | Weidner, |
| Ellberg, | Kooker, | Parlante, | Welsh, |
| Eshback, | Kornick, | Pashley, | Wheeler, |
| Eshleman, | Korns, | Perry, H. H., | Whittaker, |
| Ewing, | Kovolenko, | Perry, P. E., | Williams, A. D., Jr., |
| Farabaugh, | Kubitsky, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polen, | Wood, |
| Filo, | Lee, K. B., | Prendergast, | Worley, |
| Fineman, | Leonard, | Price, | Wynd, |
| Floyd, | Light, | Pursley, | Yatron, |
| Flynn, | Limper, | Reibman, | Yetter, |
| Fox, | Lippincott, | Renwick, | Zimmerman, |
| Frank, | Lopresti, | Rigby, | Andrews, |
| Frascella, | Lugard, | Riley, | Speaker |
| Fulmer, | Lutty, | Rovansek, | |

NAYS—0

NOT VOTING—39

| | | | |
|------------|-----------|---------------------|------------------|
| Agnew, | Foerster, | Miller, H. G., | Silverman, |
| Auker, | George, | Monroe, | Stimmel, |
| Blair, | Gibb, | Moran, | Stone, |
| Breth, | Goodrich, | Murphy, A. J., Jr., | Stroup, |
| Burns, | Helm, | Murray, J. J., | Trusio, |
| Cloff, | Irviss, | Murray, P. G., | Wescott, |
| Clarke, | Jump, | O'Dell, | Williams, E. S., |
| Cooper, | Lamb, | Polaski, | Willaredt, |
| Donahue, | McKeever, | Reidenbach, | Wilt, |
| Donaldson, | Markley, | Schuster, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1247, entitled:

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

| | | | |
|-------------|-------------------|----------------|------------|
| Anderson, | Galley, | McCandless, | Royer, |
| Arlene, | Gallagher, | McCann, | Rudisill, |
| Ashton, | Garlock, | McCormack, | Sakulsky, |
| Balthaser, | Gelfand, | McDonald, | Scarcell, |
| Barton, | Goldstein, J. H., | McInroy, | SchAAF, |
| Bell, | Goldstein, M. H., | McLaughlin, | Schwartz, |
| Boies, | Gramlich, | Machmer, | Seltzer, |
| Bonner, | Guthrie, | Magee, | Sherman, |
| Boris, | Hamilton, | Mahan, | Shupnik, |
| Bower, | Heavey, | Maxwell, | Snare, |
| Bowman, | Heffner, | Meholchick, | Snider, |
| Branca, | Henzel, | Merry, | Stank, |
| Brenninger, | Hocker, | Mihm, | Steckel, |
| Brown, | Holliday, | Miller, B. Z., | Stevens, |
| Buchanan, | Holt, | Mullen, | Stewart, |
| Capano, | Horst, | Muldowney, | Stoner, |
| Capitolo, | Isaacs, | Mullen, | Strausser, |
| Cianfrani, | Jenkins, | Mullen, | Sullivan, |

| | | | |
|------------|------------------|-------------------|-----------------------|
| Comer, | Jim, | Murphy, P. J., | Taylor, |
| Crossin, | Johnson, A. W., | Murray, H. F., | Thompson, |
| Curwood, | Johnson, R., | Musto, | Tompkins, |
| Davis, | Jones, F. R., | Naugle, | Ujobai, |
| Dengler, | Jones, T. H. W., | Needham, | Varallo, |
| Dennis, | Kamyk, | Nelson, | Varner, |
| Dennison, | Kee, | O'Donnell, J. A., | Verona, |
| Devlin, | Keiser, | O'Donnell, J. P., | Wall, |
| Dougherty, | Kernaghan, | Odoristo, | Walsh, |
| Down, | Kessler, | Ogilvie, | Wargo, |
| Edwards, | Knecht, | O'Neill, | Weidner, |
| Ellberg, | Kooker, | Parlante, | Welsh, |
| Eshback, | Kornick, | Pashley, | Wheeler, |
| Ewing, | Korns, | Perry, H. H., | Whittaker, |
| Eshleman, | Kovolenko, | Perry, P. E., | Williams, A. D., Jr., |
| Farabaugh, | Kubitsky, | Petrosky, | Willard, |
| Fetterolf, | Lee, A. M., | Polen, | Wood, |
| Filo, | Lee, K. B., | Prendergast, | Worley, |
| Fineman, | Leonard, | Price, | Wynd, |
| Floyd, | Light, | Pursley, | Yatron, |
| Flynn, | Limper, | Reibman, | Yetter, |
| Fox, | Lippincott, | Renwick, | Zimmerman, |
| Frank, | Lopresti, | Rigby, | Andrews, |
| Frascella, | Lugard, | Riley, | Speaker |
| Fulmer, | Lutty, | Rovansek, | |

NAYS—0

NOT VOTING—39

| | | | |
|------------|-----------|---------------------|------------------|
| Agnew, | Foerster, | Miller, H. G., | Silverman, |
| Auker, | George, | Monroe, | Stimmel, |
| Blair, | Gibb, | Moran, | Stone, |
| Breth, | Goodrich, | Murphy, A. J., Jr., | Stroup, |
| Burns, | Helm, | Murray, J. J., | Trusio, |
| Cloff, | Irviss, | Murray, P. G., | Wescott, |
| Clarke, | Jump, | O'Dell, | Williams, E. S., |
| Cooper, | Lamb, | Polaski, | Willaredt, |
| Donahue, | McKeever, | Reidenbach, | Wilt, |
| Donaldson, | Markley, | Schuster, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1248, entitled:

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission Law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

| | | | |
|-------------|-------------------|----------------|------------|
| Anderson, | Galley, | McCann, | Rudisill, |
| Arlene, | Gallagher, | McCormack, | Sakulsky, |
| Ashton, | Garlock, | McDonald, | Scarcell, |
| Balthaser, | Gelfand, | McInroy, | SchAAF, |
| Barton, | Goldstein, J. H., | McLaughlin, | Schwartz, |
| Bell, | Goldstein, M. H., | Machmer, | Seltzer, |
| Boies, | Gramlich, | Magee, | Sherman, |
| Bonner, | Guthrie, | Mahan, | Shupnik, |
| Boris, | Hamilton, | Maxwell, | Snare, |
| Bower, | Heavey, | Meholchick, | Snider, |
| Bowman, | Heffner, | Merry, | Stank, |
| Branca, | Henzel, | Mihm, | Steckel, |
| Brenninger, | Hocker, | Miller, B. Z., | Stevens, |
| Brown, | Holliday, | Mills, | Stewart, |
| Buchanan, | Holt, | Muldowney, | Stoner, |
| Capano, | Horst, | Mullen, | Strausser, |
| Capitolo, | Jenkins, | Munley, | Sullivan, |
| Cianfrani, | Jim, | Murphy, P. J., | Taylor, |
| Comer, | Johnson, A. W., | Murray, H. F., | Thompson, |

| | | | |
|--|--|--|---|
| Crossin, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Dougherty, Down, Edwards, Ellberg, Eshback, Ehleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Fox, Frank, Frascella, Fulmer, | Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelsner, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Oglivie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovasek, Royer, | Tompkins, Ujobal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wheeler, Whittaker, Williams, A.D., Jr., Willard, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|--|---|

NAYS—1

Isaacs,

NOT VOTING—39

| | | | |
|--|--|--|---|
| Agnew, Auker, Blair, Breth, Burns, Cloff, Clarke, Cooper, Donahue, Donaldson, | Foerster, George, Gibb, Goodrich, Helm, Irlis, Jump, Lamb, McKeever, Markley, | Miller, H. G., Monroe, Moran, Murphy, A. J., Jr. Murray, J. J., Murray, P. G., O'Dell, Polaski, Reidenbach, Schuster, | Silverman, Stimmel, Stone, Stroup, Trusio, Wescott, Williams, E. S., Willaredt, Wilt, |
|--|--|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1099

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1099.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1099, entitled: An act amending the act of May 22, 1951 (P. L. 317) entitled, "An act relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws" providing for biennial registration.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS
(Committee on the part of the Senate.)

J. DEAN POLEN
ARTHUR J. WALL
(Committee on the part of the House of Representatives.)

An Act amending the act of May 22, (P. L. 317) entitled "An act relating to the practice of professional nursing providing for the licensing of nurses and for the

revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the annual renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws" providing for biennial registration and changing fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section 11 act of May 22, 1951 (P. L. 317) known as "The Professional Nursing Law" are amended to read

An Act.

Relating to the practice of professional nursing providing for the licensing of nurses and for the revocation and suspension of such licenses subject to appeal and for their reinstatement providing for the [annual] renewal of such licenses regulating nursing in general prescribing penalties and repealing certain laws

Section 11 Each person upon being licensed by the Board as a licensed registered nurse under the provisions of this act shall without additional fee therefor be given a card to evidence such license which shall be valid during the current renewal [year] biennium Licenses issued pursuant to this act shall expire on the thirty-first day of October of each [year] biennium or on such other [annual] biennial expiration date as the Board may fix Application for renewal of a license shall [annually] biennially be forwarded to each active registrant prior to the expiration date of the current renewal [year] biennium The application form shall be completed and returned to the Board accompanied by the required fee of [one dollar (\$1)] for dollars (\$4) upon approval of each application the applicant shall receive a renewal of license

The form and method of licensure and renewal shall be provided for by the Board in such manner as will enable it to carry into effect the purposes of this act The Board shall maintain a record of all licenses issued under this act and of all renewals as herein provided

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, the Conference Committee report on House Bill 1099 was the report that was defeated on Friday, November 20, dealing with the professional nursing law. This is the Conference Committee Report which changed the fee from \$1 to \$2 a year, \$4 a biennium.

It was Friday a week ago that this was defeated. Since that time we have had a conference with the Nurses Association.

The main objection to the bill dealt with the allocation of funds to operate the State Board of Nursing. We have worked out a compromise with the state organization of nurses in which they have in their possession, in writing, the amount of additional money that will go to the State Board of Nursing, which they have requested.

With this letter in its possession I am authorized to state that the State Board of Nurses is supporting this Conference Committee Report, and asks that you vote in the affirmative for its adoption.

Mr. A. W. JOHNSON. Mr. Speaker, I would confirm what the Majority Leader has said.

I met a representative from the Nurses Association in the lobby earlier this afternoon and it was reported to me that they have withdrawn their objection to House Bill 1099 Conference Committee Report, and requested that we vote for the bill in view of the agreement they have made.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—142

| | | | |
|-------------|-------------------|-------------------|------------|
| Anderson, | Gallagher, | McCandless, | Scarcelli, |
| Arlene, | Garlock, | McCann, | Schaaf, |
| Ashton, | Gelfand, | McDonald, | Schwartz, |
| Balthaser, | Goldstein, J. H., | McInroy, | Sherman, |
| Barton, | Goldstein, M. H., | McLaughlin, | Snare, |
| Bonner, | Gramlich, | Machmer, | Snider, |
| Boris, | Guthrie, | Magee, | Stank, |
| Bower, | Hamilton, | Mahan, | Steckel, |
| Branca, | Heavey, | Merry, | Stevens, |
| Brenninger, | Heffner, | Mihm, | Stimmel, |
| Brown, | Henzel, | Mills, | Stoner, |
| Capano, | Hocker, | Muldowney, | Strausser, |
| Capitolo, | Holt, | Mullen, | Sullivan, |
| Cianfrani, | Irlis, | Murphy, P. J., | Taylor, |
| Comer, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Musto, | Tompkins, |
| Dengler, | Johnson, A. W., | Naugle, | Ujbal, |
| Dennis, | Johnson, R., | Nelson, | Varallo, |
| Dennison, | Jones, F. R., | O'Donnell, J. A., | Varner, |
| Devlin, | Jones, T. H. W., | O'Donnell, J. P., | Verona, |
| Dougherty, | Kamyk, | Parlante, | Wall, |
| Down, | Kee, | Pashley, | Walsh, |
| Elberg, | Kernaghan, | Perry, H. H., | Weidner, |
| Eshback, | Knecht, | Perry, P. E., | Welsh, |
| Eshleman, | Kooker, | Petrosky, | Wescott, |
| Ewing, | Kornick, | Polen, | Wheeler, |
| Farabaugh, | Korns, | Prendergast, | Whittaker, |
| Filo, | Kovolenko, | Pursley, | Willard, |
| Fineman, | Lee, A. M., | Reibman, | Wood, |
| Floyd, | Leonard, | Renwick, | Wynd, |
| Flynn, | Light, | Rigby, | Yatron, |
| Foerster, | Limper, | Riley, | Yetter, |
| Fox, | Lippincott, | Rovansek, | Zimmerman, |
| Frank, | Lopresti, | Royer, | Andrews, |
| Frascella, | Luigard, | Rudisill, | Speaker |
| Galley, | Lutty, | Sakulsky, | |

NAYS—33

| | | | |
|------------|-------------|----------------|----------------------|
| Agnew, | Fulmer, | McCormack, | O'Neil, |
| Bell, | Holliday, | Maxwell, | Price, |
| Boles, | Horst, | Meholchick, | Seltzer, |
| Bowman, | Isaacs, | Miller, B. Z., | Shupnik, |
| Buchanan, | Kelser, | Munley, | Stewart, |
| Crossin, | Kessler, | Needham, | Wargo, |
| Curwood, | Kubitsky, | Odorisio, | Williams, A.D., Jr., |
| Edwards, | Lee, K. B., | Ogilvie, | Worley, |
| Fetterolf, | | | |

NOT VOTING—34

| | | | |
|------------|----------------|--------------------|------------------|
| Auker, | George, | Monroe, | Schuster, |
| Blair, | Gibb, | Moran, | Silverman, |
| Breth, | Goodrich, | Murphy, A.J., Jr., | Stone, |
| Burns, | Helm, | Murray, J. J., | Stroup, |
| Cioffi, | Jump, | Murray, P. G., | Trusio, |
| Clarke, | Lamb, | O'Dell, | Williams, E. S., |
| Cooper, | McKeever, | Polaski, | Willaredt, |
| Donahue, | Markley, | Reidenbach, | Wilt, |
| Donaldson, | Miller, H. G., | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 162, Printer's No. 2033 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 162.

An Act amending the act of June 28 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents enforcement officers and investigators of the Pennsylvania board of parole.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 2, by inserting after the word "Board" the following: "and the parole agents enforcement officers and investigators of the Pennsylvania board of parole"; Section 1, page 3, line 2, by inserting after the word "Board" the following: "and the parole agents enforcement officers and investigators of the Pennsylvania board of parole"; line 14, by inserting after the word "Board" the following: "and the parole agents enforcement officers and investigators of the Pennsylvania board of parole"; page 4, by inserting after line 6, the following: "the parole agents enforcement officers and investigators of the Pennsylvania board of parole"; page 5, line 9, by inserting after the word "Board" the following: "and the parole agents enforcement officers and investigators of the Pennsylvania board of parole"; page 6, line 2, by inserting after the word "investigator" the following: "or parole agent enforcement officer or investigator of the Pennsylvania board of parole"; and by inserting after line 18 the following: "and any payments required to be made on account of any parole agent enforcement officer or investigator employed by the Pennsylvania board of parole shall be from moneys appropriated to the Pennsylvania board of parole."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|----------------|------------|
| Agnew, | Frascella, | Luigard, | Rovansek, |
| Anderson, | Fulmer, | Lutty, | Royer, |
| Arlene, | Galley, | McCandless, | Rudisill, |
| Ashton, | Gallagher, | McCann, | Sakulsky, |
| Balthaser, | Garlock, | McCormack, | Scarcelli, |
| Barton, | Gelfand, | McDonald, | Schaaf, |
| Bell, | Goldstein, J. H., | McInroy, | Schwartz, |
| Boles, | Goldstein, M. H., | McLaughlin, | Seltzer, |
| Bonner, | Gramlich, | Machmer, | Sherman, |
| Boris, | Guthrie, | Magee, | Shupnik, |
| Bower, | Hamilton, | Mahan, | Snare, |
| Bowman, | Heavey, | Maxwell, | Snider, |
| Branca, | Heffner, | Meholchick, | Stank, |
| Brenninger, | Henzel, | Merry, | Steckel, |
| Brown, | Hocker, | Mihm, | Stevens, |
| Buchanan, | Holliday, | Miller, B. Z., | Stewart, |
| Capano, | Holt, | Mills, | Stimmel, |
| Capitolo, | Horst, | Muldowney, | Stoner, |
| Cianfrani, | Irlis, | Mullen, | Strausser, |
| Clarke, | Isaacs, | Munley, | Sullivan, |
| Comer, | Jenkins, | Murphy, P. J., | Taylor, |
| Crossin, | Jim, | Murray, H. P., | Thompson, |

| | | | |
|------------|------------------|-------------------|-----------------------|
| Curwood, | Johnson, A. W., | Musto, | Tompkins, |
| Davis, | Johnson, R., | Naugle, | Ujobal, |
| Dengler, | Jones, F. R., | Needham, | Varallo, |
| Dennis, | Jones, T. H. W., | Nelson, | Varnar, |
| Dennison, | Kamyk, | O'Donnell, J. A., | Verona, |
| Devlin, | Kee, | O'Donnell, J. P., | Wall, |
| Dougherty, | Keiser, | Odoristo, | Walsh, |
| Down, | Kernaghan, | Ogilvie, | Wargo, |
| Edwards, | Kessler, | O'Neill, | Weidner, |
| Ellberg, | Knecht, | Parlante, | Welsh, |
| Eshback, | Kooker, | Pashley, | Wescott, |
| Eshleman, | Kornick, | Perry, H. H., | Wheeler, |
| Ewing, | Korns, | Perry, P. E., | Whittaker, |
| Farabaugh, | Kovolenko, | Petrosky, | Williams, A. D., Jr., |
| Fetterolf, | Kubitsky, | Polen, | Willard, |
| Filo, | Lee, A. M., | Prendergast, | Wood, |
| Fineman, | Lee, K. B., | Price, | Worley, |
| Floyd, | Leonard, | Pursley, | Wynd, |
| Flynn, | Light, | Reibman, | Yatron, |
| Foerster, | Limper, | Renwick, | Yetter, |
| Fox, | Lippincott, | Rigby, | Zimmerman, |
| Frank, | Lopresti, | Riley, | Andrews, |
| | | | Speaker |

NAYS—0

NOT VOTING—33

| | | | |
|------------|-----------|--------------------|------------------|
| Auker, | George, | Miller, H. G., | Reidenbach, |
| Blair, | Gibb, | Monroe, | Schuster, |
| Breth, | Goodrich, | Moran, | Silverman, |
| Burns, | Helm, | Murphy, A. J., Jr. | Stone, |
| Cloff, | Jump, | Murray, J. J., | Stroup, |
| Cooper, | Lamb, | Murray, P. G., | Trusio, |
| Donahue, | McKeever, | O'Dell, | Williams, E. S., |
| Donaldson, | Markley, | Polaski, | Willaredt, |
| | | | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 626, Printer's No. 2034, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 626.

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making an appropriation

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

Amend Section 1, page 3, line 5, by striking out after the bracketed figures "(((\$2500))" the following: "two thousand eight hundred eighty dollars (\$2880) two thousand six hundred forty dollars (\$2640)" and inserting in lieu thereof the words and figures "two thousand eight hundred eighty dollars (\$2880)"; line 19 by striking out after the bracketed figures "(\$2500)" the following: "two thousand eight hundred eighty dollars (\$2880) two thousand six hundred forty dollars (\$2640)" and inserting in lieu thereof the words and figures "two thousand eight hundred eighty dollars (\$2880)"; page 4, line 4, by striking out after the bracketed figures "(\$2500)" the following: "two thousand eight hundred eighty dollars (\$2800) two thousand six hundred forty dollars (\$2640)" and inserting in lieu thereof the words and figures "two thousand eight hundred eighty dollars (\$2880)"; line 17, by striking out after the word "of" where it appears the second time the words "carrying out the provisions of this act" and inserting in lieu thereof the words "paying monthly pensions to the blind" and by adding Section 3, as follows: "Section 3 This act shall take effect January 1, 1960."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|-------------------|-----------------------|
| Agnew, | Gallagher, | Fox, | Royer, |
| Anderson, | Garlock, | McCandless, | Rudisill, |
| Ashton, | Gelfand, | McCann, | Sakulsky, |
| Arlene, | Goldstein, J. H., | McCormack, | Scarselli, |
| Balthaser, | Goldstein, M. H., | McDonald, | Schaaf, |
| Barton, | Gramlich, | McInroy, | Schwartz, |
| Bell, | Guthrie, | McLaughlin, | Seltzer, |
| Boles, | Hamilton, | Machmer, | Sherman, |
| Bonner, | Heavey, | Magee, | Shupnik, |
| Boris, | Heffner, | Mahan, | Snare, |
| Bower, | Henzel, | Maxwell, | Snider, |
| Bowman, | Hocker, | Meholchick, | Stank, |
| Branca, | Holliday, | Merry, | Steckel, |
| Brenninger, | Holt, | Mihm, | Stevens, |
| Brown, | Horst, | Miller, B. Z., | Stewart, |
| Buchanan, | Irvia, | Mills, | Stimmel, |
| Capano, | Isaacs, | Muldowney, | Stoner, |
| Capitolo, | Jenkins, | Mullen, | Strausser, |
| Cianfrani, | Jim, | Munley, | Sullivan, |
| Clarke, | Johnson, A. W., | Murphy, P. J., | Taylor, |
| Comer, | Johnson, R., | Murray, H. P., | Thompson, |
| Crossin, | Jones, F. R., | Musto, | Tompkins, |
| Curwood, | Jones, T. H. W., | Naugle, | Ujobal, |
| Davis, | Kamyk, | Needham, | Varallo, |
| Dengler, | Kee, | Nelson, | Varnar, |
| Dennis, | Keiser, | O'Donnell, J. A., | Verona, |
| Dennison, | Kernaghan, | O'Donnell, J. P., | Wall, |
| Devlin, | Kessler, | Odoristo, | Walsh, |
| Dougherty, | Knecht, | Ogilvie, | Wargo, |
| Down, | Kooker, | O'Neill, | Weidner, |
| Edwards, | Kornick, | Parlante, | Welsh, |
| Ellberg, | Korns, | Pashley, | Wescott, |
| Eshback, | Kovolenko, | Perry, H. H., | Wheeler, |
| Eshleman, | Kubitsky, | Perry, P. E., | Whittaker, |
| Ewing, | Lee, A. M., | Petrosky, | Willard, |
| Farabaugh, | Lee, K. B., | Polen, | Williams, A. D., Jr., |
| Fetterolf, | Leonard, | Prendergast, | Wood, |
| Filo, | Light, | Price, | Worley, |
| Fineman, | Limper, | Pursley, | Wynd, |
| Floyd, | Lippincott, | Reibman, | Yatron, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Frank, | Luigard, | Rigby, | Zimmerman, |
| Frascella, | Lutty, | Riley, | Andrews, |
| Fulmer, | Foerster, | Rovansek, | Speaker |
| Galley, | | | |

NAYS—0

NOT VOTING—33

| | | | |
|------------|----------------|---------------------|------------------|
| Auker, | Gibb, | Monroe, | Schuster, |
| Blair, | Goodrich, | Moran, | Silverman, |
| Breth, | Helm, | Murphy, A. J., Jr., | Stone, |
| Burns, | Jump, | Murray, J. J., | Stroup, |
| Cioffi, | Lamb, | Murray, P. G., | Trusio, |
| Cooper, | McKeever, | O'Dell, | Williams, E. S., |
| Donahue, | Markley, | Polaski, | Whlaredt, |
| Donaldson, | Miller, H. G., | Reidenbach, | Wilt, |
| George, | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1472, Printer's No. 1777, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1472.

An Act authorizing the Department of Property and Supplies with approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, line 4 by striking out after the word "of" the word "the" and inserting in lieu thereof the word "such"; and after the word "sum" by striking out the words "of one dollar" and inserting in lieu thereof the words "as may be agreed upon by the parties."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1675, Printer's No. 2036, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1675.

An Act amending the act of April 29 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4 way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the figures "1959" the words and numerals "(Act No. 32)" and inserting in lieu thereof the letters and numerals" (P. L. 58)"; line 6, by striking out after the word "thereat" the words "prohibiting the designation of 4-way stop and other multi-way stop intersections"; Section 1, page 2 line 7, by inserting after the word "visibility" the words "to hesitate"; line 11, by striking out after the word "shall" the word "stop" and inserting in lieu thereof the words "hesitate and"; line 13, by inserting after the word "such" the words "collision or" and by striking out immediately thereafter the words "collision or"; Section 2, page 3, line 3, by striking out after the word "and" the words "two new subsections are" and inserting in lieu thereof the words "a new subsection is", and by striking out all of lines 9 to 13 inclusive as follows: "(c) No provision in this section shall be construed to authorize the Secretary of Highways or local authorities with reference to highways in their jurisdiction to designate 4 way stop intersections or to designate multi-way stop intersections where two or more highways intersect. Any such designation shall be void for all purposes"; page 3, line 14, by striking out at the beginning of the line the letter "(f)" and inserting in lieu thereof the letter "(e)"; line 19, by striking out after the word highways the words "which are not throughways"; page 4, by inserting after line 7 the following: "with the warrants established by the secretary of highways before local"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Mr. Speaker, the amendments inserted by the Senate in this bill strike out the use of the word "stop" and insert the word "hesitate" on "Yield Right of Way" signs. They also strike out the entire provisions with reference to the elimination of four-way stop signs.

There are a great number on this side of the House who are against this bill. I am merely calling their attention to it in case they want to vote for non-concurrence on these amendments.

Mr. McCANN. Mr. Speaker, could I get myself clear on a parliamentary move? When I make a motion to concur in the amendments, if I fail to gather 106 votes, then the motion is not agreed to and it is nonconcurrence, right?

The SPEAKER. That is right.

Mr. McCANN. The vote now in the House is 87 to 83, which means we will not concur if the Republican Party

is opposing concurrence. With that in mind, and saving time since I will lose this motion, I move that the House nonconcur, and let it go to a Conference Committee.

The SPEAKER. The Majority Leader withdraws his motion to concur, and substitutes a motion that the House nonconcur in Senate amendments to House Bill 1675.

Does the Minority Leader desire to be recognized on this motion?

Mr. TOMPKINS. We agree with that motion.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL PASSED OVER

There being no objection,

House Bill No. 1915, Printer's No. 1969,
was passed over at the request of the SPEAKER.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 2173, Printer's No. 1970, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2173.

An Act amending the act of March 10 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the building or rebuilding of schools and the preparation of drawings for such schools and repealing certain provisions concerning heating and ventilating standards and changing provisions relating to the determination of certain reimbursement amounts.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 6, by striking out after the word "schools" the word "and"; line 7, by inserting after the word "standards" the following: "and changing provisions relating to the determination of certain reimbursement amounts"; Section 1, page 2, line 8, by striking out after the word "contents" the words "Provided That the" and inserting in lieu thereof the word "The"; line 10, by striking out after the word "used" the following: "subject always to the approval by the Department of Public Instruction in accordance with" and inserting in lieu thereof the following: "but in each case the plans and specifications therefor shall be submitted to the Department of Public Instruction which shall approve them if they do not conflict with any"; and by inserting after line 15 the following: "for such type of heating and ventilating system which may have been"; page 4, by inserting after Section 3 on line 17, a new section to read as follows:

"Section 4 Section 2574 of the act added March 22 1956

(P L 1315) is amended by adding at the end thereof a new subsection to read

"Section 2574 Approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness * * *

"(E) In calculating the rated pupil capacity for elementary buildings the department shall exclude from its consideration the square feet contained in the "music practice room and instrument storage" and the "multipurpose room assembly-play-cafeteria"; page 5, line 10, by striking out after the word "Section" the numeral "4" and inserting in lieu thereof the numeral "5"; and by inserting after the numerals "733.1" the words and numerals as follows: "and subsection (e) of Section 2574."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL PASSED OVER

There being no objection,

House Bill No. 2297, Printer's No. 1973,
was passed over at the request of the SPEAKER.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2319

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2319.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2319, entitled: "An act amending the act of May 4, 1927 (P. L. 519), entitled 'An act concerning boroughs and revising, amending and consolidating the law relating to boroughs,' providing for the sale of borough owned electric light plants and the effect thereof."

Respectfully submit the following bill as our report:

JOHN T. VAN SANT,
THOMAS A. EHRGOOD,
WILLIAM J. LANE,
(Committee on the part of the Senate.)

JULES FILO,
JOHN H. DEVLIN,
LEE A. DONALDSON, JR.

(Committee on the part of the House of Representatives.)

An Act amending the act of May 4 1927 (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the sale of borough owned electric light plants and the effect thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of May 4 1927 (P. L. 519) known as "The Borough Code" reenacted and amended July 10 1947 (P. L. 1621) is amended by adding after section 2472 a new section to read

Section 2472.1 Sale of Electric Light Works A borough may sell all or part of its electric light plant to a purchaser for such price as the parties may agree upon and thereafter for all purposes that price shall be deemed to be the purchaser's original cost less accrued depreciation of the plant at the date of purchase

Section 2 This act shall take effect immediately.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | |
|-------------|-------------------|-------------------|
| Agnew, | Fulmer, | Lutty, |
| Anderson, | Galley, | McCandless, |
| Arlene, | Gallagher, | McCann, |
| Ashton, | Garlock, | McCormack, |
| Balthaser, | Gelfand, | McDonald, |
| Barton, | Goldstein, J. H., | McInroy, |
| Bell, | Goldstein, M. H., | McLaughlin, |
| Bonner, | Gramlich, | Machmer, |
| Boles, | Guthrie, | Magee, |
| Boris, | Hamilton, | Mahan, |
| Bower, | Heavey, | Maxwell, |
| Bowman, | Heffner, | Meholchick, |
| Branca, | Henzel, | Merry, |
| Brenninger, | Hocker, | Mihm, |
| Buchanan, | Holliday, | Miller, B. Z., |
| Brown, | Holt, | Mills, |
| Capano, | Horst, | Muldowney, |
| Capitolo, | Irvis, | Mullen, |
| Clanfrani, | Isaacs, | Munley, |
| Clarke, | Jenkins, | Murphy, P. J., |
| Comer, | Jim, | Murray, H. P., |
| Crossin, | Johnson, A. W., | Musto, |
| Curwood, | Johnson, R., | Naugle, |
| Davis, | Jones, F. R., | Needham, |
| Dengler, | Jones, T. H. W., | Nelson, |
| Dennis, | Kamyk, | O'Donnell, J. A., |
| Dennison, | Kee, | O'Donnell, J. P., |
| Devlin, | Kelser, | Odorislo, |
| Dougherty, | Kernaghan, | Oglivie, |
| Down, | Kessler, | O'Neil, |
| Edwards, | Knecht, | Parlante, |
| Eilberg, | Kooker, | Pashley, |
| Eshback, | Kornick, | Perry, H. H., |
| Eshleman, | Korna, | Perry, P. E., |
| Ewing, | Kovolenko, | Petrosky, |
| Farabaugh, | Kubitsky, | Polen, |
| Fetterolf, | Lee, A. M., | Prendergast, |
| Filo, | Lee, K. B., | Price, |
| Fineman, | Leonard, | Pursley, |
| Floyd, | Light, | Reibman, |
| Flynn, | Limper, | Renwick, |
| Foerster, | Lippincott, | Rigby, |
| Fox, | Lopresti, | Riley, |
| Frank, | Luigard, | Rovansek, |
| Frascella, | | |

NAYS—0

NOT VOTING—33

| | | | |
|------------|----------------|--------------------|------------------|
| Auker, | Gibb, | Monroe, | Schuster, |
| Blair, | Goodrich, | Moran, | Silverman, |
| Breth, | Helm, | Murphy, A. J., Jr. | Stone, |
| Burns, | Jump, | Murray, J. J., | Stroup, |
| Cioffi, | Lamb, | Murray, P. G., | Trusio, |
| Cooper, | McKeever, | O'Dell, | Williams, E. S., |
| Donahue, | Markley, | Polaski, | Willaredt, |
| Donaldson, | Miller, H. G., | Reidenbach, | Wilt, |
| George, | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that Senate Bill No. 882, Printer's No. 1469, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that

the Sentae has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 882.

An Act amending the act of April 14 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments nonconcurrent in by the Senate to Senate Bill No. 882.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Mr. Speaker, the Members on this side are against insistence on the amendments inserted by the Senate. We favor receding from the amendments inserted by the House. This side of the House will vote against insistence on the amendments.

Mr. McCANN. Mr. Speaker, on this side of the House we will vote to support the motion to insist on the amendments so we can go to a conference committee.

PARLIAMENTARY INQUIRY

Mr. TOMPKINS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, does this take a constitutional majority to agree to the motion?

The SPEAKER. It requires the majority of a quorum.

Mr. TOMPKINS. Thank you.

The yeas and nays were required by Messrs. TOMPKINS and HOCKER and were as follows:

YEAS—89

| | | | |
|------------|---------------|-------------------|--------------|
| Anderson, | Foerster, | McCann, | Prendergast, |
| Arlene, | Frank, | McCormack, | Reibman, |
| Balthaser, | Frascella, | McDonald, | Renwick, |
| Boles, | Galley, | McLaughlin, | Riley, |
| Bonner, | Gallagher, | Machmer, | Rovansek, |
| Branca, | Garlock, | Maxwell, | Rudisill, |
| Capano, | Gelfand, | Meholchick, | Schaaf, |
| Capitolo, | Hamilton, | Mihm, | Schwartz, |
| Clanfrani, | Heavey, | Muldowney, | Sherman, |
| Clarke, | Holt, | Mullen, | Shupnik, |
| Comer, | Irvis, | Munley, | Stank, |
| Crossin, | Jenkins, | Musto, | Sullivan, |
| Curwood, | Jim, | Needham, | Taylor, |
| Dennis, | Jones, F. R., | Nelson, | Varallo, |
| Devlin, | Kamyk, | O'Donnell, J. A., | Verona, |
| Dougherty, | Kornick, | O'Donnell, J. P., | Walsh, |
| Eilberg, | Kovolenko, | O'Neil, | Wargo, |
| Farabaugh, | Leonard, | Parlante, | Welsh, |
| Filo, | Limper, | Pashley, | Wheeler, |
| Fineman, | Lopresti, | Perry, H. H., | Yatron, |
| Floyd, | Luigard, | Perry, P. E., | Yetter, |
| Flynn, | Lutty, | Petrosky, | Andrews, |
| | | Polen, | Speaker |

NAYS—78

| | | | |
|---------|-----------|-------------|----------|
| Agnew, | Gramlich, | Lee, K. B., | Stevens, |
| Ashton, | Guthrie, | Light, | Stewart, |

| | | | |
|-------------------|------------------|----------------|----------------------|
| Barton, | Heffner, | Lippincott, | Stimmel, |
| Bell, | Henzel, | McCandless, | Stoner, |
| Bower, | Hocker, | McInroy, | Strausser, |
| Bowman, | Holliday, | Magee, | Thompson, |
| Brenninger, | Horst, | Mahan, | Tompkins, |
| Buchanan, | Isaacs, | Merry, | Ujobal, |
| Davis, | Johnson, A. W., | Miller, B. Z., | Varnier, |
| Dengler, | Johnson, R., | Murphy, P. J., | Wall, |
| Dennison, | Jones, T. H. W., | Murray, H. P., | Weidner, |
| Down, | Kee, | Odlisio, | Wescott, |
| Edwards, | Keiser, | Ogilvie, | Whittaker, |
| Eshback, | Kernaghan, | Price, | Williams, A.D., Jr., |
| Eshleman, | Knecht, | Pursley, | Willard, |
| Fetterolf, | Kooker, | Rigby, | Wood, |
| Fox, | Korna, | Royer, | Worley, |
| Fulmer, | Kubitsky, | Seltzer, | Wynd, |
| Goldstein, J. H., | Lee, A. M., | Snare, | |
| Goldstein, M. H., | | Steckel, | |

NOT VOTING—42

| | | | |
|------------|----------------|--------------------|------------------|
| Auker, | George, | Moran, | Silverman, |
| Blair, | Gibb, | Murphy, A. J., Jr. | Snider, |
| Boris, | Goodrich, | Murray, J. J., | Stone, |
| Breth, | Helm, | Murray, P. G., | Stroup, |
| Brown, | Jump, | Naugle, | Trusio, |
| Burns, | Lamb, | O'Dell, | Williams, E. S., |
| Cloffi, | McKeever, | Polaski, | Willaredt, |
| Cooper, | Markley, | Reidenbach, | Wilt, |
| Donahue, | Miller, H. G., | Sakulsky, | Zimmerman, |
| Donaldson, | Mills, | Scarcelll, | |
| Ewing, | Monroe, | Schuster, | |

So the question was determined affirmative and the motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

Mr. LOPRESTI IN THE CHAIR.

RECONSIDERATION OF VOTE ON SENATE BILL No. 667

Mr. A. D. WILLIAMS, Mr. Speaker, I move that the vote by which Senate Bill No. 667, Printer's No. 1598, entitled:

"An Act amending the act of January 14, 1952 (P. L. 2016), entitled 'An act providing for supplementing the police forces of cities, boroughs, towns and townships for the appointment powers and control of auxiliary police therein * * *', further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty on order that they may obtain such training."

was defeated on Final Passage Wednesday, November 18, 1959, be reconsidered.

Mr. KUBITSKY. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Bucks, Mr. Williams, vote on the final passage of this bill?

Mr. A. D. WILLIAMS. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Luzerne, Mr. KUBITSKY, vote on the final passage of this bill?

Mr. KUBITSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. A. D. WILLIAMS. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, as we started today's session we were mindful that over the weekend there were, of course, stories in the paper quoting certain Senators who said there were as high as 21 Conference Committee reports pending in the House.

I want to correct this situation by saying that he meant that is so in the Senate, for the Conference Committee reports pending in the House are on three House Bills on which each of the members of the Conference Committee have received numerous memoranda, and I have asked them to please try to finish their reports this week.

House Bill No. 141, Printer's No. 1303, there are Mr. Fineman, Mr. Yatron and Mrs. Henzel; on House Bill No. 762, Printer's No. 1647, Mr. Kornick, Mr. Yetter, Mr. Horst; on House Bill No. 2268, Printer's No. 1729, Mr. Musto, Mr. Meholchick and Mr. Jump; on Senate Bill No. 112, Printer's No. 1029, Mr. Schaaf, Mr. Prendergast, Mr. T. H. W. Jones; on Senate Bill No. 810, Printer's No. 1547, Mr. Devlin, Mr. Schaaf and Mr. Seltzer. Of those, on Senate Bill No. 810, the Conference Committee Report is being prepared and made ready.

In the memoranda that I have sent to each of these members I have asked that they please try to complete their Conference Committee work this week since they have been of long duration in the Conference Committee; some of them have been there since early in September.

The number of bills in the House in Conference Committee, I repeat, all total at this point are four, not twenty-five.

Another thing I would like to say, Mr. Speaker, is that tomorrow, Wednesday, this House will convene at the same time as the Senate, 11:00 a.m. We will have on the calendar the Conference Committee report to concur in the Senate amendments on the Unemployment Compensation Law.

We have the Workmen's Compensation Act which we want to concur in tomorrow, as well as on the Unemployment Compensation. We want to make arrangements for both these bills to be signed by the Speaker of the House and the President pro tempore of the Senate and to be sent to the Governor for approval.

I hope that we can complete this and I am going to ask that tomorrow we work as fast as we possibly can, complete the necessary messages, and I am confident that we will get out of here in good shape. Our calendar will boil itself down to practically nothing, and by Thursday our calendar would be bare except for Senate concurrences.

I hope that the House will bear with us each day. I understand that the Senate has agreed that we will return to these Halls on Monday of the following week. Whatever days they will be here, if they are here Monday, Tuesday and Wednesday, this House will be in session those days. I still believe that we can finish all this work and could finish it very easily.

There are still three major pieces of legislation that we are waiting for, the General State Authority bill, the State Public School Building Authority increase, and the Highway Program, because signals are being changed every few hours. Last week we had an agreement on Senate Bill No. 24 to agree to the amendments. Something happened and they are withdrawing from those amendments because, maybe—I said maybe—the gasoline

tax is going to move again. Well, those who said it will go over their dead body may have a chance to die.

Either way we are here to meet with the Senate, hour by hour, and complete all the work. I thank the Members of the House and I hope they will all be with us here tomorrow. We will get out of here as soon as we can.

BILLS INTRODUCED AND REFERRED

By Mrs. REIBMAN, Messrs. POLEN, MIHM, BOWER, A. W. JOHNSON and TOMPKINS.

HOUSE BILL No. 2460.

An Act amending the "Public School Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 77), providing a death benefit after ten years of service or an accumulation of withdrawal credits in certain cases.

Referred to the Committee on Appropriations.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 505.

An Act amending the "Local Health Administration Law" approved August 24 1951 (P. L. 1304) extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class.

HOUSE BILL No. 871.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors" further regulating school bus lighting equipment.

HOUSE BILL No. 1647.

An Act amending the act of June 4, 1937 (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employees retirement system in counties of the third class * * *" extending the provisions of the act to include certain per diem employees.

HOUSE BILL No. 2218.

An Act appropriating all revenues exceeding a stated amount over the aggregate amount appropriated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth.

HOUSE BILL No. 2362.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 78) making technical changes and clarifying language.

HOUSE BILL No. 2383.

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and for the collection of such assessments claims and liens.

HOUSE BILL No. 2408.

An Act amending the act of September 23, 1959 (Act No. 381) entitled "An Act providing for the regulation of the propagation of domestic mink in captivity and providing penalties" further regulating the height of fences around premises used for raising mink.

HOUSE BILL No. 2417.

An Act amending the "Housing Authorities Law" approved May 28, 1937 (P. L. 955) providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income.

HOUSE BILL No. 2419.

An Act amending the "Civil Service Act" approved August 5, 1941 (P. L. 752) conferring rights on certain provisional employees and war-duration appointees.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER pro tempore. The Chief Clerk has said it is possible that the pay checks for the month of December will be ready tomorrow afternoon. Those Members who are present will be able to pick up their checks tomorrow afternoon for the month of December.

Mr. McCORMACK. Mr. Speaker, apparently I missed something here, but I thought you were going to call up the House resolution on the Calendar and that Mr. Johnson was going to speak on it.

Mr. McCANN. Mr. McCormack, could I answer that for you?

Mr. McCORMACK. Yes, sir.

Mr. McCANN. Mr. Johnson came over here just in the last few minutes and said he wanted to amend the resolution tomorrow to put good language in it.

ADJOURNMENT

Mr. THOMPSON. Mr. Speaker, I move that this House do now adjourn until Wednesday, December 2, 1959 at 11:00 a.m. EST.

The motion was agreed to, and (at 6:28 p.m. EST), the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, DECEMBER 2, 1959.

No. 118.

SENATE

WEDNESDAY, December 2, 1959.

The Senate met at 11:00 o'clock a. m., Eastern Standard Time.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty God, Our heavenly Father, we come to Thee and we acknowledge Thee as the giver of every good and perfect gift. Amongst those gifts which Thou hast given to us are the gifts of life, of reason, of friendship and of love. We pray that we may use every bit of them to make the world in our time better than it has ever been before, so that those who follow after us may rise and call us blessed because we lived the way Thou dost want us to live.

We ask Thy blessing upon the work of today, that we may give the best that we have so that, in all things, Thy Name may be glorified. We ask it in the Master's Name, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. PROPERT, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **184**, **873**, **911**, **971**, **1000**, **1015**, **1093**, **1094**, **1095**, **1096**, **1158** and **1161**.

APPROVAL OF SENATE CONCURRENT RESOLUTION

He also presented communication in writing from his Excellency, the Governor, advising that Senate Concurrent Resolution, recalling from the Governor **SB 1106**, had been approved and signed by the Governor, which communication and bill were laid on the table.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 209**, **932**, **1175**, **1247** and **1248**, with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO **SB 882**

He also presented communication informing the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 882**.

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO **SB 882**

Mr. BERGER. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to **SB 882**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has nonconcurring in amendments made by the Senate to **HB 1472**, **1675** and **2173**.

The PRESIDING OFFICER. The above communications will be laid on the table.

HOUSE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE

He also informed the Senate that the House had adopted Reports of Committees of Conference on **HB 1099** and **2319**.

The PRESIDING OFFICER. These Reports of Committees of Conference will appear on Monday's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented **HB 2018**, **2019** and **2096**, which were referred to the Committee on Rules.

AMENDMENTS TO HOUSE BILLS, RECALLED FROM THE GOVERNOR

He also presented for concurrence, **HB 1822** and **2376**; said bills having been recalled from the Governor for amendment, the votes had on final passage and third

reading were reconsidered in the House and the bills amended, in which amendments the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bills, as amended, will appear on Monday's Calendar.

REPORTS FROM COMMITTEE

Mr. HARNEY, from the Committee on Labor and Industry, reported, as amended, **HB 66**.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

November 30, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of The Pennsylvania Industrial Development Authority:

J. Dean Polen, Avella, Washington County, from June 21, 1957, until December 1, 1963, and until his successor shall be duly appointed and qualified.

Francis X. McBrearty, 7961 Williams Avenue, Philadelphia, Philadelphia County, until July 24, 1964, and until his successor shall be duly appointed and qualified, vice Robert G. MacDonald, Greensburg, resigned.

Victor C. Diehm, 627 West Diamond Avenue, Hazleton, Luzerne County, until July 24, 1965, and until his successor shall be duly appointed and qualified (Reappointment).

Max Fenton Balcom, Emporium, Cameron County, until August 20, 1966, and until his successor shall be duly appointed and qualified (Reappointment).

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Evelyn G. Jenkins, 328 Beaver Street, Zelienople, Butler County, for appointment as Justice of the Peace in and for the Borough of Zelienople, Butler County, to serve until the first Monday of January 1960, vice E. Addison Jenkins, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 1, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Charles T. Alton, Star Route, Dingman's Ferry, Pike County, for appointment as Justice of the Peace in and for the Township of Porter, Pike County to serve until the first Monday of January 1960; vice Alton J. Jones, resigned.

DAVID L. LAWRENCE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations just read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. STEVENSON,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

A motion was made by Mr. BERGER and Mr. STEVENSON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Probert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Eargood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silver, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WAGNER, STEVENSON and SEYLER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **SB 882**.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

HB 998—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 998**, recalled from the Governor.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Propert, | Wade, |
| Camiel, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE

HB 959—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

THIRD READING CALENDAR

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING

SB 136—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Ripp, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| Confair, | Lane, | Walker, | Watkins, |
| DiSilvestro, | Madigan, | Ruth, | Weiner, |
| Donolow, | Mahady, | Scott, | Whalley, |
| Ehrgood, | Mallery, | Seyler, | Wolfe, |
| Elliott, | McCreesh, | Shafer, | Fleming, |
| Flack, | McGinnis, | Silvert, | Presiding Officer |
| Harney, | McMenamin, | Stevenson, | |
| Hays, | Miller, | | |

NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

SB 364 and 413—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 432—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 446—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 594—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Lane, | Mullin, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Propert, | Wade, |
| Chapman, | Koprivier, Jr. | Ripp, | Wagner, |
| Confair, | Kromer, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 647—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 652 and SB 663—Without objection, the bills were passed over in their order at the request of Mr. RUTH.

SB 727—Read at length the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Ripp, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| Confair, | Lane, | Ruth, | Walker, |
| DiSilvestro, | Madigan, | Sarra, | Watkins, |
| Donolow, | Mahady, | Scott, | Weiner, |
| Ehrgood, | Mallery, | Seyler, | Whalley, |
| Elliott, | McCreesh, | Shafer, | Wolfe, |
| Flack, | McGinnis, | Silvert, | Fleming, |
| Harney, | McMenamin, | Stevenson, | Presiding Officer |
| Hays, | Miller, | | |

NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 794—Read at length the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Ripp, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| Confair, | Lane, | Ruth, | Walker, |
| DiSilvestro, | Madigan, | Sarra, | Watkins, |
| Donolow, | Mahady, | Scott, | Weiner, |
| Ehrgood, | Mallery, | Seyler, | Whalley, |
| Elliott, | McCreesh, | Shafer, | Wolfe, |
| Flack, | McGinnis, | Silvert, | Fleming, |
| Hays, | McMenamin, | Stevenson, | Presiding Officer |
| Harney, | Miller, | | |

NAYS—1

Propert,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 900, 1121 and 1122—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1161—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1172—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 1189 and HB 1195—Without objection, the bills were passed over in their order at the request of Mr. RUTH.

SB 1204 and 1242—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1261—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Proper, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| DiSilvestro, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1322—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Proper, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 1473—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Proper, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 1608, 1610, 1611, 1612 and 1613—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1734—Without objection, the bill was passed over in its order at the request of Mr. RUTH.

HB 1980—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2063—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Proper, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2170—Without objection, the bill was passed over in its order at the request of Mr. RUTH.

HB 2192 and 2193—Without objection, the bills were passed over in their order at the request of Mr. SEYLER.

HB 2273—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2316—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2359—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2371—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2423—The bill was read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. RUTH, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 3, line 4, by striking out "E" and inserting: "W" Amend Sec. 1, page 3, line 8 by striking out "12 degrees 25" and inserting: "21 degrees 52". Amend Sec. 1, page 4, line 10 by striking out "to."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RUTH.

HB 2446—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL INTRODUCED AND REFERRED

Messrs. KESSLER and WAGNER, by unanimous consent, presented to the Chair, SB 1269, entitled:

An Act amending the act of May 1, 1929 (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," redefining real estate broker and salesman and deleting the provisions relating to limited licenses.

Which was committed to the Committee on Rules.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 117, 203 and 506—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 1266—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1344, 1380, 1474, 1830, 1927, 1971, 1977, 2108 and 2209—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 2277, 2402 and 2431—Without objection, the bills

were passed over in their order at the request of Mr. RUTH.

REPORTS OF COMMITTEES

Mr. WADE, by unanimous consent, from the Committee on Highways, reported, as committed, **SB 993** and **HB 63**.

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported as committed, **SB 1256, 1262, 1264, and 1265**; as amended, **SB 1215** and **1257**; as committed, **HB 634, 2018, 2019, 2380, 2409, 2422, 2430, 2455** and **2456**; as amended, **HB 1108**; and rereported as committed, **HB 1355**.

RESOLUTIONS REPORTED FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Resolution, Serial No. 82, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE LIBRARY SYSTEM

He also, from the Committee on Rules, reported without amendment, Senate Resolution, Serial No. 85, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY CURRENT LAWS AND ADMINISTRATIVE PRACTICES RELATING TO THE REGULATION OF THE PRODUCTION, DISTRIBUTION AND MARKETING OF AGRICULTURAL COMMODITIES IN THIS COMMONWEALTH

He also, from the Committee on Rules, reported, without amendment, Senate Concurrent Resolution, Serial No. 122, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FEASIBILITY OF COMBINING OR MERGING THE JURISDICTION AND/OR THE PERSONNEL OF THE COUNTY COURT OF ALLEGHENY COUNTY AND THE MUNICIPAL COURT OF PHILADELPHIA COUNTY WITH THE COURTS OF COMMON PLEAS OF SAID COUNTIES

The PRESIDING OFFICER. These resolutions will be placed on the Calendar.

REPORT OF COMMITTEE OF CONFERENCE ON SB 810

Mr. WADE submitted Report of Committee of Conference on **SB 810**, which was placed on the Calendar.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate for the period of one hour, awaiting communications from the House of Representatives.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

AFTER RECESS

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives being introduced presented communication informing the Senate that the House has concurred in amendments made by the Senate to **HB 162, 626** and **2297**.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **SB 118, 209, 453, 864, 932, 1043, 1175, 1187, 1238, 1247, 1248, HB 162, 626, 1078, 1080, 1081, 1082, 1083, 1084, 1512, 1513, 1514, 1515, 1516, 1572, 1589, 1948, 2291** and **2297**.

The PRESIDENT pro tempore. Senator Watkins, will you kindly approach the rostrum?

The PRESIDING OFFICER (G. Robert Watkins) in the Chair.

RESOLUTION REPORTED FROM COMMITTEE

Mr. FLEMING, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Resolution, Serial No. 86, entitled:

SENATE COMMITTEE TO CONFER WITH DEPARTMENT OF HIGHWAYS AND PENNSYLVANIA TURNPIKE COMMISSION CONCERNING RECENT "TRAFFIC JAM" ON THE TURNPIKE

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

REPORT FROM COMMITTEE

Mr. HARNEY, by unanimous consent, from the Committee on Labor and Industry, reported, as amended, **HB 1057**.

INQUIRY BY THE CHAIR

The PRESIDING OFFICER. The Chair would like to ask Senator Berger if he could explain just when the Committee on Rules met.

Mr. BERGER. Mr. President, if we can proceed to the consideration of Bills on First Reading, I will answer the question.

The PRESIDING OFFICER. I agree, Senator Berger.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 993, 1215, 1256, 1257, 1262, 1264, 1265, HB 63, 66, 634, 1057, 1108, 2018, 2019, 2380, 2409, 2422, 2430, 2455** and **2456**.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

STATEMENT IN REPLY TO INQUIRY OF THE CHAIR

Mr. BERGER. The Committee on Rules, Mr. President, met at 9:30 a.m. today until about 11:15 a.m.

The PRESIDING OFFICER. I want to compliment you on a fast job.

Mr. BERGER. Mr. President, may I inquire of the Chair whether he desires me to take up at this time House Bill No. 2108?

The PRESIDING OFFICER. The Chair would suggest to the Majority Leader, due to the fact that I am still waiting for more votes, that House Bill No. 2108 just sleep quietly upon the Calendar, as it is.

The Chair wishes to thank the President pro tempore for the opportunity of presiding over this Senate. I consider it a great honor and a great privilege. Sometime when you have a lot of work to do and a real Calendar,

I would appreciate it if you would invite me again. Thank you, Senator Taylor.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, December 7, 1959, at 3:00 o'clock p.m.

Mr. TAYLOR. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 2:13 o'clock p.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 2, 1959.

The House met at 11:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father, we pause at the beginning of this day's session to give the honor and praise due unto Thee for the manifestation of Thy great glory and concern for mankind. Bestow upon these Thy servants such a love toward Thee and such an empathy toward the people of this great state that the needs as well as the desires of Thy subjects may be met. And kindle within each one such a faith and determination that seemingly insurmountable barriers may be overcome, apparent hopeless tasks completed, and impending doom turned into victory. To Thee: Father, Son, and Holy Ghost, be the honor, the glory and the praise forever and ever. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, December 1, 1959 will be postponed until printed.

The Chair hears none.

BILL INTRODUCED AND REFERRED

By Messrs. McCANN, DEVLIN and LOPRESTI.

HOUSE BILL No. 2461.

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing the retention by the Department of Revenue of portions of funds obtained through proceedings relating to escheatable property, and making an appropriation thereof for the payment of compensation, fees and expenses.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 725.

An Act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice prescribing its powers and duties and making an appropriation.

Referred to the Committee on Rules.

SENATE MESSAGE

RECALLING SENATE BILL No. 297 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 30, 1959.

Resolved (if the House of Representatives concurs), that Senate Bill No. 297, Printer's No. 321, entitled „An act repealing Section 650, Act of June 24, 1939 (P. L. 872), entitled 'An act to consolidate, amend and revise the penal laws of the Commonwealth' relating to pawn-

brokers dealing with minors," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 118.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

SENATE BILL No. 453.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

SENATE BILL No. 1043.

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissions masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

SENATE BILL No. 1187.

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County Pennsylvania.

SENATE BILL No. 1238.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1589.

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" eliminating fees for licenses issued under the act.

HOUSE BILL No. 1948.

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

HOUSE BILL No. 2291.

An Act amending "The Penal Code" approved June 24 1939 (P. L. 872) prohibiting the sale of starter pistols to minors.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1572.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1078

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1078.

An Act amending "The Dental Law" approved May 1, 1933 (P. L. 216) providing for biennial registration.

HOUSE BILL No. 1080.

An Act amending the "Professional Engineers Registration Law" approved May 23, 1945 (P. L. 913) providing for biennial registration.

HOUSE BILL No. 1081.

An Act amending the "Architects Registration Law" approved July 12, 1919 (P. L. 933) providing for biennial renewal of certificates and changing fees in accordance therewith.

HOUSE BILL No. 1082.

An Act amending the "Chiropody Act of 1956" (P. L. 1206) providing for biennial renewal of registration and changing fees in accordance therewith.

HOUSE BILL No. 1083.

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) providing for biennial registration.

HOUSE BILL No. 1084.

An Act amending the "Optometrists' Licensure Law" approved March 30, 1917 (P. L. 21) providing for biennial registration and changing fees in accordance therewith.

HOUSE BILL No. 1512.

An Act amending the "Pharmaceutical Practice Law" approved May 17, 1917 (P. L. 208) changing from annual to biennial registration.

HOUSE BILL No. 1513.

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216) changing from annual to biennial registration and increasing certain fees.

HOUSE BILL No. 1514.

An Act amending "The Veterinary Law" approved April 27, 1945 (P. L. 321) changing from annual to biennial registration.

HOUSE BILL No. 1515.

An Act amending the "Medical Practice Act" approved June 3, 1911 (P. L. 639) changing from annual to biennial registration and increasing the registration fee.

HOUSE BILL No. 1516.

An Act amending the "Chiropractic Registration Act of 1951" approved August 10, 1951 (P. L. 1182) changing from annual to biennial registration.

PERMISSION TO ADDRESS HOUSE

Mr. MAXWELL asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House, on Sunday, November 29, it was my privilege to attend a very impressive ceremony held in the city of Monessen. It was the dedication of the new civic library.

This dedication was the culmination of years of hard work, planning and effort on the part of Harry R. Pore, Jr., the editor of the Monessen Daily Independent, along with his committee and the rest of the public-minded citizens of Monessen.

Hugo J. Parente, the mayor of Monessen, and his city officials played a very important part in the establishment of this library, inasmuch as they gave their wholehearted support and effort to this program.

I would like to read very briefly from the Monessen Daily Independent newspaper:

Monessen's new \$275,000 Public Library opened for daily "business" today following an impres-

sive dedication program yesterday afternoon.

Gov. David L. Lawrence, principal speaker at the dedication ceremonies, formally opened the building by cutting a ribbon stretched across the main entrance.

"The dedication of this vital new building is a dramatic illustration that Monessen citizens understand the breadth and importance of good library facilities; the governor said.

Speaking from a fern-bedecked stage in the Manos Theatre next door to the Library, the Governor said the "achievement here in Monessen, therefore, should become an example for all our other communities where better library service is so badly needed."

Stating he has been interested in the development of libraries for years, Governor Lawrence charged that "political considerations" by Republican senators have apparently junked his program for development and expansion of the public library system in the state.

He pointed out to the nearly 500 persons present that the program cleared the Democratic-controlled House by a wide margin, but has been bottled up in the GOP-dominated Senate State Government Committee.

"Opposition by the majority leadership of the Senate appears to have ended all hope for library legislation at this time," Lawrence said. "I cannot tell you how sorry I am that Senate Republicans have seen fit to inject political considerations into the library development program.

"There is nothing partisan about libraries," the Governor continued. "The basic education system we need in all our communities is something which affects Republicans and Democrats alike."

He then went on to praise the building of the new library in Monessen, stating it is a "living testament to the citizens' demands for service" and "stands as a fine example of what can be accomplished through enlightened interest.

"I pray we may find the same understanding in other Pennsylvania communities," he continued.

"The job which remains to be done is largely one of educating the public—the kind of job Monessen did," Gov. Lawrence emphasized. "Many Pennsylvania communities can gain from a study of Monessen's achievement."

The rest I wish to file for the record, Mr. Speaker.

The SPEAKER. The gentleman asks leave to print the remainder of the article.

The Chair hears no objection.

Mr. MAXWELL offered the following for inclusion in the Legislative Journal.

Learn Through Example

"As children or adults, we learn best through example. Monessen has given all of us a precedent to follow," he said.

The governor also praised the people of Monessen for that "resounding 'yes' vote they gave when the \$200,000 bond issue to finance the construction of the Library was put up for election in 1957."

Harry R. Pore Jr., president of the Board of Library Directors, was in charge of the program in the theatre.

Prior to the governor's speech, Charles C. Throop, president of the Monessen Civic Library Assn., made a short address in which he expressed appreciation on behalf of the Association for the "splendid cooperation of the city administration in helping us to obtain this fine, new building we are dedicating today."

Throop then introduced Robert A. Haurly, general contractor, who turned the keys to the new building over to J. Russell Bailey, architect. The

latter, in turn, after a short talk, turned the keys over to Mayor Parente.

"This is a proud moment for Monessen," the Mayor stated. "It was a combined effort . . . every facet was united. This type of cooperation speaks well for the future of Monessen."

"I am very happy that myself and the city administration had a hand in it," the Mayor said before turning the keys over to Pore.

In thanking the Mayor, Pore said the Board of Library Directors "accepts official custody of the new Library building with a deep sense of responsibility.

"We are all most grateful to you and your colleagues on City Council for the opportunity to serve the community in this important way," Pore continued.

He said that "from the very moment it was proposed that the city government should undertake to provide library service in Monessen, we have had the fullest cooperation at the City Hall.

Pore then went on to "express my gratitude and that of the other directors for the skill and devotion which have gone into the construction of this building. From the architect and general contractor down to the last craftsman there has been the feeling that we were not building here just an ordinary structure."

Vivian L. Drake, librarian, spoke briefly and commented "on the vision and foresight" shown by officials of the Library "in building this fine Library."

Ribbon-cutting

Following the theatre program, during which the invocation and benediction were given by Rabbi Theodore Stampfer, Kneseth Israel Synagogue, the program shifted to outside the front of the new building.

There Gov. Lawrence, Mayor Parente and Pore took part in ribbon-cutting ceremonies to officially open the building to the public.

Girl Scouts from Troop 46 guided nearly 500 persons on a tour of the new facilities.

Later the Board of Library Directors was host at a reception at Johnson's Restaurant.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to read into the record the fact that the Pennsylvania House of Representatives has sent 100 one dollar CARE packages to Columbia; that it has sent 100 CARE packages, at one dollar each, to Greece; that it has sent 110 CARE packages to Hong Kong; that it has sent 100 CARE packages for the help of Tibetan refugees in India; that it has sent 100 CARE packages to Korea; and that the Pennsylvania House of Representatives has sent 100 CARE packages to Iran; 610 CARE packages in all.

The Chair certainly thanks the House because it made these contributions possible.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2461, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing the retention by the Department of Revenue of portions of funds obtained through proceedings relating to escheatable property, and making an appropriation thereof for the payment of compensation, fees and expenses.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 725, entitled.

An Act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department

of Justice prescribing its powers and duties and making an appropriation.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Resolution Serial No. 121.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2461, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing the retention by the Department of Revenue of portions of funds obtained through proceedings relating to escheatable property, and making an appropriation thereof for the payment of compensation, fees and expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 725, entitled:

An Act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department prescribing its powers and duties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECONSIDERATION OF VOTE ON CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 1207

Mr. McCANN. Mr. Speaker, I move that the vote by which the Conference Committee Report on House Bill No. 1207, Printer's No. 1987, entitled:

"An Act amending the 'Public School Code of 1949,' approved March 10, 1949 (P. L. 30), providing for payments on account of pupil transportation to certain additional school districts."

was adopted by the House on Wednesday, November 18, 1959, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the Conference Committee Report on this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington, Mr. Polen vote on the Conference Committee Report on this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

REPORT RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that the report be recommitted to the Committee of Conference.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1861 and 2021

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 1, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1861, Printer's No. 1988, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' transferring the State Hospital at Hamburg to the Department of Public Welfare and creating a board of trustees."

DAVID L. LAWRENCE.

December 1, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2021, Printer's No. 1778, entitled "An Act repealing clause (c. 2) of section 9 act of June 24, 1937 (P. L. 2051) entitled 'Public Assistance Law' relating to assistance for children removed from their homes by courts in certain cases and reappropriating unexpended funds to be used for child care programs."

DAVID L. LAWRENCE.

CAUCUSES

The SPEAKER. At the request of the respective Floor Leaders the Chair declares a thirty-minute recess for the purpose of a Democratic caucus and a caucus of the Republican Members. If you will be sure to confine your caucus deliberations within one-half hour we can, upon your return, wind up today's calendar in pretty quick order.

Mr. LOPRESTI. Mr. Speaker, we request that the Democratic Members bring their calendars with them, and that they report to the Caucus immediately.

The SPEAKER. Democratic Members, and I think it is a good idea for all Members, attending the caucus to please take their calendars with them.

RECESS

The SPEAKER. Without objection, the Chair declares a recess of one-half hour.

The chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

BILL INTRODUCED AND REFERRED

By Mr. M. H. GOLDSTEIN.

HOUSE BILL No. 2462.

A Joint Resolution proposing an amendment to article three, section twenty of the Constitution of the Commonwealth of Pennsylvania exempting certain school districts from the prohibiting the General Assembly from delegating the power to levy taxes.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. MULLEN for today.

Mrs. Varallo for Mr. MIHM for today.

Mr. Tompkins for Mr. DENGLER for today.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 2297, Printer's No. 1973 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2297.

An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 6, line 3, by striking out the bracket at the beginning of the line preceding the word "For"; line 6, by striking out the bracket at the end of the line after the word "each"; page 9, by inserting after line 11 the following:

Where any such permanent injury or injuries shall require an amputation at any time after the end of the healing period hereinbefore provided the employe shall be entitled to receive compensation for the second healing period provided that the second healing period shall not exceed the duration of the first healing period and

in the case of a second injury or amputation to the same limb prior to the expiration of the first healing period a new healing period shall commence for the period hereinbefore provided and no further compensation shall be payable for the first healing period.

page 10, by striking out after line 6 the following:

* * *

Section 2 Clause (d) of section 306 of the act amended February 28, 1956 (P. L. 1120) is amended by adding at the end thereof a new paragraph to read

Section 306 The following schedule of compensation is hereby established

* * *

(d) * * *

Where any such permanent injury or injuries shall require an amputation at a time after the end of the healing period hereinbefore provided the employe shall be entitled to receive compensation for the second healing period

* * *

page 11, line 4, by striking out the brackets before the word "During" and after the word "the" and by striking out after the word "the" the word "THE"; line 5, by inserting after the word "services" the following: "ices rendered by duly licensed practitioners of the healing arts" line 9, by striking out at the beginning of the line, before the word "The" the bracket; line 13, by striking out the bracket following the word "limitations"; line 15 by striking out the brackets before and after the word "and" where it first appears, and by striking out after the word proatheses the following: "and all other services and supplies reasonably required for the diagnosis of the injury and treatment of the disability of the injured employe."

line 18 by striking out the bracket before the word "for"; line 20, by striking out the bracket after the letters "restor-"; page 12, by striking out the bracket before the letters "ing" at the beginning of the line; line 3, by striking out the bracket after the word "rehabilitation" and by striking out after the word "rehabilitation" the following: "The cost of the services treatment appliances and supplies required to be rendered under this clause shall not be in excess of the prevailing charge made for like services in the community in which they are rendered If the employe shall upon application made to him refuse to furnish such services medicines and supplies the employe may procure same and shall receive from the employer the reasonable cost thereof within the above limitations."

line 13 by striking out at the beginning of the line the words "surgical medical" and inserting in lieu thereof the following: "services rendered by duly licensed practitioners of the healing arts."

page 13, by inserting after the word "services" the following: "services rendered by duly licensed practitioners of the healing arts."

line 8, by striking out the bracket in front of the word "if"; line 20, by striking out the bracket after the word "employe"; page 14 line 1, by striking out the bracket before the word "shall"; line 3, by striking out the bracket after the word "Treasury" and by striking out after line 3 the following:

"(a) If an employe has incurred a substantial partial disability (through accident or otherwise) and if he shall be injured by a subsequent accident in the course of his employment so that the resultant disability is substantially and materially greater than that which would have resulted from the second injury alone the employer or its insurance carrier shall pay for all resultant disability and obtain contribution from the Second Injury Reserve Account for that part of the compensation not attributable to the second injury in and of itself

(b) All claims for such contribution shall be forever barred unless the employer or its insurance carrier shall have filed a petition therefor with the board or entered into an agreement for the payment thereof with the Second Injury Reserve Account within sixteen months from the time that his or its obligation to pay compensa-

tion to the injured employe shall have been established by an agreement or award."

page 15, line 10, by striking out at the beginning of the line the letter "(d)"; line 14, by striking out the bracket before the word "In"; line 20, by striking out the bracket after the word "claimant"; page 16, line 1, by striking out the bracket before the word "Any"; line 7, by striking out the bracket after the word "country"; page 17, line 7, by striking out after the bracketed words "(thirty-four dollars)" the words "thirty-seven" and inserting in lieu thereof the words "thirty-eight";

page 23, by striking out lines 1 to 8 inclusive, as follows:
Section 4 Section 315 of the act amended February 28 1956 (P L 1120) is amended by adding at the end thereof a new paragraph to read

Section 315 * * *

In cases of eye injuries or accidental injuries due to radium poisoning or due to radioactive properties or due to Roentgen rays or in cases where the injury is due to radioactive emissions whether primary or secondary the period of limitations contained herein shall not begin to run until the injury shall have manifested itself by compensable disability.

line 9, by striking out after the word "Section" the numeral "5" and inserting in lieu thereof the numeral "3"; page 24, line 2, by inserting after the word "in" the following: "section three hundred and nineteen of article three and" and by inserting after line 6 the following:

Section 4 Section 319 of the act amended February 28, 1956 (P L 1120) is amended to read

Section 319 Where the compensable injury is caused in whole or in part by the act or omission of a third party the employer shall be subrogated to the right of the employe his personal representative his estate or his dependents against such third party to the extent of the compensation payable under this article by the employer reasonable attorney's fees and other proper disbursements incurred in obtaining a recovery or in effecting a compromise settlement shall be prorated between the employer and employe his personal representative his estate or his dependents. The employer shall pay that proportion of the attorney's fees and other proper disbursements that the amount of compensation paid or payable at the time of recovery or settlement bears to the total recovery or settlement any recovery against such third person in excess of the compensation theretofore paid by the employer shall be paid forthwith to the employe his personal representative his estate or his dependants and shall be treated as an advance payment by the employer on account of any future installments or compensation

Where an employe has received payments for the disability or medical expenses resulting from an injury by accident in the course of his employment paid by the employer [or] an insurance company hospital medical osteopathic or dental service corporation employe or fraternal welfare or benefit association on the basis that the injury and disability were not compensable under this act in the event of an agreement or award for that injury the employer [or] insurance company [who] hospital medical osteopathic or dental service corporation employe or fraternal welfare or benefit association which made [the] any payments shall be subrogated out of the agreement or award to the amount so paid without deduction for attorney's fees or otherwise if the right to subrogation is agreed to by the parties or is established at the time or hearing before the referee or the board page 26, line 12, by striking out after the word "Section" the numeral "6" and inserting in lieu thereof the numeral "5"; page 27, line 2, by striking out the bracket before the word "from" and after the word "presented"; and by striking out after line 17 the following:

Section 7 The last paragraph of section 413 and section 416 of the act amended February 28, 1956 (P. L. 1120) are amended to read

Section 413 * * *

The filing of a petition to terminate or modify a compensation agreement or award as provided in this section shall operate as a supersedeas and shall suspend

the payment of compensation fixed in the agreement or by the award in whole or to such extent as the facts alleged in the petition would if proved require Provided however That if such employer shall not file a petition to modify or terminate within twenty days after he has ceased making regular payments of compensation full compensation shall be payable until the date of the filing of the petition No petition to terminate shall act as a supersedeas unless supported by the affidavit of an examining physician Where under the terms of the prayer of the petition compensation would still be payable for partial disability the petition shall include a statement of the degree of partial disability which admittedly remains which statement shall be supported by the affidavit of an examining doctor Payments for compensation so admitted to be due shall be paid weekly during the pendency of the proceeding If no such statement so verified is included in the petition the maximum compensation payable for partial disability shall be paid until the petition shall be determined

Section 416 Within twenty days after a copy of any petition has been served upon an adverse party he may file with the secretary of the board if the petition has been directed to be heard by the board or with the referee if the petition has been assigned to a referee an answer in the form prescribed by the board

[Every fact alleged in a claim petition not specifically denied by an answer so filed by an adverse party shall be deemed to be admitted by him But the failure of any adverse party or of all of them to deny a fact so alleged shall not preclude the board or referee before whom the petition is heard from requiring of its or his own motion proof of such fact] Every fact alleged in a claim petition not specifically denied by an answer filed under oath within twenty days after the copy of the petition has been received shall be deemed to be admitted The board or the referee may upon proper cause shown extend the time for the filing of an answer or other pleading Bare or blanket denials or statements that proof is demanded will not be deemed a compliance with this act The failure of any adverse party to so deny facts as alleged shall not preclude the board or a referee before whom the petition is heard from requiring of its or his own motion proof of any facts if in the judgment of the board or referee the interest of justice so required

Section 8 Section 422 of the act amended February 28 1956 (P L 1120) is amended by adding at the end thereof new paragraphs to read

Section 422 * * *

In any proceeding before the referee the successful party may be entitled to recover as costs but not to exceed however twenty-five dollars per diem for expert witnesses and seven dollars per diem for all other witnesses and the cost of obtaining notes of testimony Costs so incurred will not be included in an award unless the party shall within five days after the hearings have been concluded and the case closed file with the referee or with the Secretary of the Workmen's Compensation Board if the case is heard by the board an itemized statement of such costs giving the names and addresses of the witnesses days of actual attendance at the hearing a statement establishing to the satisfaction of the referee or the board that the attendance of each witness was reasonably necessary to the successful prosecution of the case and shall verify the same by affidavit that the witnesses named were material their attendance reasonably necessary and that they actually were in attendance at the times specified and shall serve a copy thereof by mail upon the adverse party or his counsel or insurance carrier

The adverse party may within three days after such copy has been served upon him file exceptions thereto with the referee or with the secretary of the board as the case may be and the referee or board shall fix a time and place for hearing the same

The referee or board as the case may be shall tax the costs incurred by the successful party as shown by the itemized statement filed by him or such part thereof as may be approved by the referee or the board upon the

unsuccessful party unless the special circumstances of the case make it proper to otherwise dispose of them. In such case he may put upon each party the costs incurred by him or he may divide the costs in such proportion as he shall deem proper. If the referee or the board shall dispose of the costs other than by imposing them upon the unsuccessful party the award or decision shall set forth fully the reason for so doing.

page 31, line 13, by striking out after the word "Section" the numeral "9" and inserting in lieu thereof the numeral "6"; page 32, line 6, by inserting after the word "total" the words "and permanent"; line 7, by inserting after the word "dollars" the following: "less such amount as the employer shall have actually paid pursuant to such agreement or award"

line 20, by inserting after the word "total" the words "and permanent."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN, Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|--------------------|----------------------|
| Agnew, | Galley, | McCann, | Rovansek, |
| Anderson, | Gallagher, | McCormack, | Royer, |
| Arlene, | Garlock, | McDonald, | Rudisill, |
| Ashton, | Gelfand, | McInroy, | Sakulsky, |
| Balthaser, | Goldstein, J. H., | McKeever, | Scarcelli, |
| Barton, | Goldstein, M. H., | McLaughlin, | Schaaf, |
| Bell, | Gramlich, | Machmer, | Schwartz, |
| Boles, | Guthrie, | Magee, | Seltzer, |
| Bonner, | Hamilton, | Mahan, | Sherman, |
| Boris, | Heffner, | Maxwell, | Shupnik, |
| Bower, | Henzel, | Meholchick, | Silverman, |
| Bowman, | Hocker, | Merry, | Snare, |
| Branca, | Holliday, | Miller, B. Z., | Snider, |
| Brenninger, | Holt, | Miller, H. G., | Stank, |
| Brown, | Horst, | Muldowney, | Steckel, |
| Buchanan, | Irvie, | Munley, | Stewart, |
| Capano, | Isaacs, | Murphy, A. J., Jr. | Stimmel, |
| Capitolo, | Jenkins, | Murphy, P. J., | Stoner, |
| Cianfrani, | Jim, | Murray, H. P., | Strausser, |
| Cioffi, | Johnson, A. W., | Murray, J. J., | Stroup, |
| Clarke, | Johnson, R., | Murray, P. G., | Sullivan, |
| Comer, | Jones, F. E., | Musto, | Taylor, |
| Crossin, | Jones, T. H. W., | Naugle, | Thompson, |
| Curwood, | Kamyk, | Needham, | Tompkins, |
| Davis, | Kee, | Nelson, | Varallo, |
| Dennis, | Kelser, | O'Donnell, J. A., | Varnier, |
| Dennison, | Kernaghan, | O'Donnell, J. P., | Verona, |
| Devlin, | Kessler, | Odorisio, | Wall, |
| Dougherty, | Knecht, | Ogilvie, | Walsh, |
| Down, | Kooker, | O'Neill, | Wargo, |
| Edwards, | Kornick, | Parlante, | Weidner, |
| Elberg, | Korns, | Pashley, | Welsh, |
| Eshback, | Kovolenko, | Perry, H. H., | Wescott, |
| Eshleman, | Kubitaky, | Perry, P. E., | Wheeler, |
| Farabaugh, | Lee, A. M., | Petrosky, | Williams, A. D., Jr. |
| Fetterolf, | Lee, K. B., | Polsaki, | Willard, |
| Filo, | Leonard, | Polen, | Wood, |
| Fineman, | Light, | Prendergast, | Worley, |
| Floyd, | Limper, | Price, | Wynd, |
| Flynn, | Lippincott, | Pursley, | Yatron, |
| Foerster, | Lopresti, | Reibman, | Yetter, |
| Fox, | Luigard, | Renwick, | Zimmerman, |
| Frank, | Lutty, | Rigby, | Andrews, |
| Frascella, | McCandless, | Riley, | Speaker |

NAYS—0

NOT VOTING—33

| | | | |
|------------|-----------|-------------|------------------|
| Auker, | Ewing, | Markley, | Schuster, |
| Blair, | George, | Mihm, | Stevens, |
| Breth, | Gibb, | Mills, | Stone, |
| Burns, | Goodrich, | Monroe, | Trusio, |
| Cooper, | Heavey, | Moran, | Ujobal, |
| Dengler, | Helm, | Mullen, | Whittaker, |
| Donahue, | Jump, | O'Dell, | Williams, E. S., |
| Donaldson, | Lamb, | Reidenbach, | Willardt, |
| | | | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 2297.

An Act amending the act of June 2, 1915 (P. L. 736), entitled as amended "The Pennsylvania Workmen's Compensation Act" changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER. There are a number of bills to be signed. Will the gentleman from Cambria come to the desk?

Mr. LOPRESTI IN THE CHAIR

BILL PASSED OVER

There being no objection

House Bill No. 2338, Printer's No. 2046

was passed over at the request of the SPEAKER pro tempore.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN, Mr. Speaker, I move that House Bill No. 2382 Printer's No. 2041 together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2382.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing the provisions which make certain worldly employment unlawful on Sunday.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out after the word "Section" where it appears the second time the figures "699.4" and inserting in lieu thereof the figures "651"; line 2, by striking out after the word "amended" the words and figures August 28, 1959 (Act No 278)" and inserting in lieu thereof the following: "April 15, 1943

(P. L. 53)"; and by inserting after line 3 the following:

Section 651 Pool and billiard rooms [and bowling alleys] whoever being a licensed keeper proprietor owner or superintendent of any public pool-rooms or billiard-room [bowling-saloon or tenpin alley] permits such place to remain open between the hours of one o'clock ante meridian and six o'clock ante meridian of any secular day or on the first day of the week commonly called the sabbath day or knowingly allows or permits any person under the age of eighteen (18) years to be present in any public pool-room or billiard room upon conviction thereof in a summary proceeding shall be sentenced to pay a fine not exceeding ten dollars (\$10) and in default of the payment of such fine and costs shall be imprisoned not exceeding thirty (30) days

Section 2 Section 699.4 of the act amended August 28, 1959 (Act No 278) is amended to read page 3, line 9, by inserting after the word "swimming" the words "bowling basketball."

On the question,

Will the House concur in the amendments made by the Senate

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. TOMPKINS. For the information of the Members of the House, on page 4, we are now acting upon House Bill 2382, Printer's No. 2041. This is a bill which the Senate amended by inserting bowling and basketball on Sunday.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—151

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Frascella, | Lutty, | Rigby, |
| Anderson, | Fulmer, | McCandless, | Riley, |
| Arlene, | Galley, | McCann, | Rovansek, |
| Balthaser, | Gallagher, | McCormack, | Royer, |
| Barton, | Gelfand, | McDonald, | Rudisill, |
| Bell, | Goldstein, J. H., | McKeever, | Sakulsky, |
| Boles, | Goldstein, M. H., | McLaughlin, | Scarcelli, |
| Bonner, | Guthrie, | Machmer, | Schwartz, |
| Boris, | Hamilton, | Maxwell, | Seltzer, |
| Bower, | Heffner, | Meholchick, | Sherman, |
| Bowman, | Henzel, | Merry, | Shupnik, |
| Branca, | Holliday, | Miller, B. Z., | Silverman, |
| Brenninger, | Holt, | Muldowney, | Snare, |
| Capano, | Horst, | Munley, | Stank, |
| Capitolo, | Irvia, | Murphy, A. J., Jr., | Steckel, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Stevens, |
| Cioffi, | Jenkins, | Murray, H. P., | Stewart, |
| Clarke, | Jim, | Murray, J. J., | Stimmel, |
| Comer, | Johnson, A. W., | Murray, P. G., | Sullivan, |
| Crossin, | Johnson, R., | Musto, | Taylor, |
| Curwood, | Jones, F. R., | Naugle, | Thompson, |
| Dennis, | Jones, T. H. W., | Needham, | Tompkins, |
| Devlin, | Kamyk, | Nelson, | Varallo, |
| Dougherty, | Kee, | O'Donnell, J. A., | Verona, |
| Down, | Kernaghan, | O'Donnell, J. P., | Walsh, |
| Edwards, | Kessler, | O'Dorisio, | Wargo, |
| Elberg, | Knecht, | Ogilvie, | Weldner, |
| Eshback, | Kooker, | O'Neil, | Welsh, |
| Eshleman, | Kornick, | Parlante, | Wescott, |
| Farabaugh, | Kovolenko, | Pashley, | Wheeler, |
| Fetterolf, | Kubitsky, | Perry, H. H., | Williams, A. D., Jr., |
| Filo, | Lee, A. M., | Perry, P. E., | Willard, |
| Fineman, | Lee, K. B., | Petrosky, | Wood, |
| Floyd, | Leonard, | Polaski, | Wynd, |
| Flynn, | Limper, | Prendergast, | Yatron, |
| Foerster, | Lippincott, | Pursley, | Yetter, |
| Fox, | Lopresti, | Reibman, | Andrews, |
| Frank, | Luigard, | Renwick, | Speaker |

NAYS—26

| | | | |
|-----------|---------|----------------|------------|
| Ashton, | Hocker, | Miller, H. G., | Strausser, |
| Brown, | Kelser, | Polen, | Stroup, |
| Buchanan, | Korns, | Price, | Varnier, |
| Davis, | Light, | Schaaf, | Wall, |

Dennison,
Garlock,
Gramlich,

McInroy,
Magee,
Mahan,

Snider,
Stoner,

Worley,
Zimmerman,

NOT VOTING—32

Auker,
Blair,
Breth,
Burns,
Cooper,
Dengler,
Donahue,
Donaldson,

Ewing,
George,
Gibb,
Goodrich,
Heavey,
Helm,
Jump,
Lamb,

Markley,
Mihm,
Mills,
Monroe,
Moran,
Mullen,
O'Dell,
Reidenbach,

Schuster,
Stone,
Trusio,
Ujobal,
Whittaker,
Williams, E. S.,
Willaredt,
Wilt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1915, Printer's No. 1969, together with communications from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1915.

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools" providing for the payment of the expenses of the county superintendent of schools.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 11, by striking out after the word "disbursement" the word "the" and inserting in lieu thereof the words "upon request of the county board of school directors the."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. TOMPKINS. Mr. Speaker, we want to put into the record a question of legislative intent in connection with this bill.

There has been some question raised in connection with what the punctuation should be in this bill. Of course, we all know that no bills are punctuated as they pass the General Assembly. The punctuation is done by the Secretary of the Commonwealth.

In order that the purposes and the intent of the bill are carried out, we want to put on the record the legislative intent, that on page 2 there be no period after

the word "disbursement" in line 11, but that the period be inserted after the word "directors" on line 12.

Mr. McCANN. Mr. Speaker, that is correct. That is the legislative intent and I asked the gentleman to make the remark since we had basically agreed we want that inserted in the record.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|--------------------|----------------------|
| Agnew, | Galley, | Royer, | Rudisill, |
| Anderson, | Gallagher, | McCormack, | Sakulsky, |
| Arlene, | Garlock, | McDonald, | Scarcelli, |
| Ashton, | Gelfand, | McInroy, | Schaaf, |
| Balthaser, | Goldstein, J. H., | McKeever, | Schwartz, |
| Barton, | Goldstein, M. H., | McLaughlin, | Seltzer, |
| Bell, | Goldstein, | Machmer, | Sherman, |
| Boles, | Gramlich, | Magee, | Shupnik, |
| Bonner, | Guthrie, | Mahan, | Silverman, |
| Boris, | Hamilton, | Maxwell, | Snare, |
| Bower, | Heffner, | Meholchick, | Snider, |
| Bowman, | Henzel, | Merry, | Stank, |
| Brenninger, | Hocker, | Miller, B. Z., | Steckel, |
| Branca, | Holliday, | Miller, H. G., | Stevens, |
| Brown, | Holt, | Muldowney, | Stewart, |
| Buchanan, | Horst, | Munley, | Stimmel, |
| Capano, | Irviss, | Murphy, A. J., Jr. | Stoner, |
| Capitolo, | Jenkins, | Murphy, P. J., | Strausser, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Murray, H. P., | Sullivan, |
| Clarke, | Johnson, R., | Murray, P. G., | Taylor, |
| Comer, | Jones, F. R., | Musto, | Thompson, |
| Crossin, | Jones, T. H. W., | Naugle, | Tompkins, |
| Curwood, | Kamyk, | Needham, | Varallo, |
| Davis, | Kee, | Nelson, | Varnier, |
| Dennis, | Kelser, | O'Donnell, J. A., | Verona, |
| Dennison, | Kernaghan, | O'Donnell, J. F., | Wall, |
| Devlin, | Kessler, | Odorisio, | Walsh, |
| Dougherty, | Knecht, | Ogilvie, | Wargo, |
| Down, | Kooker, | O'Neill, | Weidner, |
| Edwards, | Kornick, | Parlante, | Welsh, |
| Elberg, | Korns, | Pashley, | Wescott, |
| Eshback, | Kovolenko, | Perry, H. H., | Wheeler, |
| Eshleman, | Kubitsky, | Perry, P. E., | Williams, A.D., Jr., |
| Farabaugh, | Lee, A. M., | Petrosky, | Willard, |
| Fetterolf, | Lee, K. B., | Polaski, | Wood, |
| Filo, | Leonard, | Polen, | Worley, |
| Fineman, | Light, | Prendergast, | Wynd, |
| Floyd, | Limper, | Price, | Yatron, |
| Flynn, | Lippincott, | Pursley, | Yetter, |
| Foerster, | Lopresti, | Reibman, | Zimmerman, |
| Fox, | Luigard, | Renwick, | |
| Frank, | Lutty, | Rigby, | |
| Frascella, | McCandless, | Riley, | Andrews, |
| Fulmer, | McCann, | Rovansek, | Speaker |

NAYS—1

Isaacs,

NOT VOTING—32

| | | | |
|------------|-----------|-------------|------------------|
| Auker, | Ewing, | Markley, | Schuster, |
| Blair, | George, | Mihm, | Stone, |
| Breth, | Gibb, | Mills, | Trusto, |
| Burns, | Goodrich, | Monroe, | Ujobal, |
| Cooper, | Heavy, | Moran, | Whittaker, |
| Dengler, | Helm, | Mullen, | Williams, E. S., |
| Donahue, | Jump, | O'Dell, | Willaredt, |
| Donaldson, | Lamb, | Reidenbach, | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION AND BILL TAKEN FROM TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No.

1954, Printer's No. 2037, together with communication from the Senate be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1954.

An Act lapsing certain unencumbered balances of appropriations a balance of an appropriation made from the Motor License Fund to the Department of Highways in section 4 of the act of September 3, 1955 (Appropriation Act No. 18-A).

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representative is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the word "lapsing" the words "certain unencumbered balances of appropriations" and inserting in lieu thereof the words "a balance of an appropriation," line 3, by inserting after the word "in" the words and figure "Section 4 of"; and by striking out all of Sections 1 and 2, as follows:

"Section 1 The sum of two million nine hundred thousand dollars (\$2,900,000) being unencumbered balance of the appropriation of fifteen million dollars (\$15,000,000) made in section 1 of the act of September 3, 1955 (Appropriation Act 18 A) is hereby lapsed and said sum of two million nine hundred thousand dollars (\$2,900,000) shall revert to the Motor License Fund in the State Treasury.

"Section 2 The sum of ten million one hundred thousand dollars (\$10,100,000) being the unencumbered balance of the appropriation of thirty million dollars (\$30,000,000) made in section 4 of the act of September 3, 1955 (Appropriation Act No. 18-A) is," and inserting in lieu thereof the following:

"Section 1 All funds which are not required to carry out the provisions of section 4 act of September 3, 1955 (Appropriation Act No. 18-A) which section made an appropriation of thirty million dollars (\$30,000,000) out of the motor license fund are."

Amend page 2, line 13, by striking out after the word "said" the words and figures "sum of ten million one hundred thousand dollars (\$10,100,000)" and inserting in lieu thereof the word "funds"; and by striking out all of line 16 as follows:

"Section 3 This act shall take effect immediately."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|------------|-------------------|-------------|------------|
| Agnew, | Galley, | McCormack, | Rudisill, |
| Anderson, | Gallagher, | McDonald, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Ashton, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Goldstein, J. H., | McLaughlin, | Schwartz, |
| Barton, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bell, | Gramlich, | Magee, | Sherman, |
| Boles, | Guthrie, | Mahan, | Shupnik, |
| Bonner, | Hamilton, | Maxwell, | Silverman, |
| Boris, | Heffner, | Meholchick, | Snare, |

| | | | |
|-------------|------------------|--------------------|-----------------------|
| Bower, | Henzel, | Merry, | Snider, |
| Bowman, | Hocker, | Miller, B. Z., | Stank, |
| Branca, | Holliday, | Miller, H. G., | Steckel, |
| Brenninger, | Holt, | Muldowney, | Stevens, |
| Brown, | Horst, | Munley, | Stewart, |
| Buchanan, | Irviss, | Murphy, A. J., Jr. | Stimmel, |
| Capano, | Isaacs, | Murphy, P. J., | Stoner, |
| Capitolo, | Jenkins, | Murray, H. P., | Strausser, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Murray, P. G., | Sullivan, |
| Clarke, | Johnson, R., | Musto, | Taylor, |
| Comer, | Jones, F. R., | Naugle, | Thompson, |
| Crossin, | Jones, T. H. W., | Needham, | Tompkins, |
| Curwood, | Kamyk, | Nelson, | Varallo, |
| Davis, | Kee, | O'Donnell, J. A., | Varner, |
| Dennis, | Keiser, | O'Donnell, J. P. | Verona, |
| Dennison, | Kernaghan, | Odoriso, | Wall, |
| Devlin, | Kessler, | Ogilvie, | Walsh, |
| Dougherty, | Knecht, | O'Neil, | Wargo, |
| Down, | Kooker, | Parlante, | Weidner, |
| Edwards, | Kornick, | Pashley, | Welsh, |
| Ellberg, | Korns, | Perry, H. H., | Wescott, |
| Eshback, | Kovolenko, | Perry, P. E., | Wheeler, |
| Eshleman, | Kubitsky, | Petrosky, | Williams, A. D., Jr., |
| Farabaugh, | Lee, A. M., | Polaski, | Willard, |
| Fetterolf, | Lee, K. B., | Polen, | Wood, |
| Filo, | Leonard, | Prendergast, | Worley, |
| Fineman, | Light, | Price, | Wynd, |
| Floyd, | Limper, | Pursley, | Yatron, |
| Flynn, | Lippincott, | Reibman, | Yetter, |
| Foerster, | Lopresti, | Renwick, | Zimmerman, |
| Fox, | Luigard, | Rigby, | |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCandless, | Rovansek, | Speaker |
| Fulmer, | McCann, | Royer, | |

NAYS—0

NOT VOTING—32

| | | | |
|------------|-----------|-------------|------------------|
| Auker, | Ewing, | Markley, | Schuster, |
| Blair, | George, | Mihm, | Stone, |
| Breth, | Gibb, | Mills, | Trusio, |
| Burns, | Goodrich, | Monroe, | Ujohal, |
| Cooper, | Heavey, | Moran, | Whittaker, |
| Dengler, | Helm, | Mullen, | Williams, E. S., |
| Donahue, | Jump, | O'Dell, | Willaredt, |
| Donaldson, | Lamb, | Reidenbach, | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1881

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1881.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1881, entitled: "An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended 'An act relating to consumer credit requiring licenses from the Secretary of Banking restricting licenses to domestic corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties' further regulating the granting of licenses and providing for appeals."

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER
DOUGLAS H. ELLIOTT
JO HAYS

(Committee on the part of the Senate.)

J. DEAN POLEN
DAVID M. BOIES
ARTHUR J. WALL

(Committee on the part of the House of Representatives.)

An Act amending the act of April 8, 1937 (P. L. 262) entitled as amended "An act relating to consumer credit licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing exemptions and imposing penalties" further regulating the granting of licenses and providing for appeals.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The first paragraph of section 12 act of April 8, 1937 (P. L. 262) known as the "Consumer Discount Company Act" amended June 20, 1947 (P. L. 665) is amended to read:

"Section 12 Authority of the Secretary of Banking The Secretary of Banking shall have the power to reject any application for license if he is satisfied that the financial responsibility experience character and general fitness of the persons shown on the application for license as officers and directors of the applicant corporation are not such as to command the confidence of the community and to warrant the conclusion that the business will be operated honestly fairly and within the intent and purpose of this act and in accordance with the general laws of this Commonwealth Provided however That no license may be issued if any director officer employe or agent of the applicant corporation has been convicted under this act for engaging in business contemplated by this act without having obtained a license under this act or if any director officer employe or agent of the applicant corporation was a director officer employe or agent of a corporation which had been convicted of a second offense violation of this act and had its license revoked Whenever the Secretary of Banking rejects an application for a license he shall furnish the applicant with a written specification of the reason or reasons therefor Any corporation whose application for a license is rejected by the Secretary of Banking may within thirty (30) days of notice thereof appeal from such action to the Court of Common Pleas of Dauphin County The failure of the Secretary of Banking to act upon an application within three (3) months of receipt thereof shall be deemed to be an approval of such application."

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|-------------|-------------------|---------------------|------------|
| Agnew, | Galley, | McCormack, | Rudisill, |
| Anderson, | Gallagher, | McDonald, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Ashton, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Goldstein, J. H., | McLaughlin, | Schwartz, |
| Barton, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bell, | Gramlich, | Magee, | Sherman, |
| Boles, | Guthrie, | Mahan, | Shupnik, |
| Bonner, | Hamilton, | Maxwell, | Silverman, |
| Boris, | Heffner, | Meholchick, | Snare, |
| Bower, | Henzel, | Merry, | Snider, |
| Bowman, | Hocker, | Miller, B. Z., | Stank, |
| Branca, | Holliday, | Miller, H. G., | Steckel, |
| Brenninger, | Holt, | Muldowney, | Stevens, |
| Brown, | Horst, | Munley, | Stewart, |
| Buchanan, | Irviss, | Murphy, A. J., Jr., | Stimmel, |
| Capano, | Isaacs, | Murphy, P. J., | Stoner, |
| Capitolo, | Jenkins, | Murray, H. P., | Strausser, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Murray, P. G., | Sullivan, |
| Clarke, | Johnson, R., | Musto, | Taylor, |
| Comer, | Jones, F. R., | Naugle, | Thompson, |
| Crossin, | Jones, T. H. W., | Needham, | Tompkins, |
| Curwood, | Kamyk, | Nelson, | Varallo, |
| Davis, | Kee, | O'Donnell, J. A., | Varner, |
| Dennis, | Keiser, | O'Donnell, J. P., | Verona, |
| Dennison, | Kernaghan, | Odoriso, | Wall, |
| Devlin, | Kessler, | Ogilvie, | Walsh, |
| Dougherty, | Knecht, | O'Neil, | Wargo, |
| Down, | Kooker, | Parlante, | Weidner, |

| | | | |
|------------|-------------|---------------|----------------------|
| Edwards, | Kornick, | Pashley, | Welsh, |
| Elberg, | Korns, | Perry, H. H., | Wescott, |
| Eshback, | Kovolenko, | Perry, P. E., | Wheeler, |
| Eshleman, | Kubitsky, | Petrosky, | Williams, A.D., Jr., |
| Farabaugh, | Lee, A. M., | Polaski, | Willard, |
| Fetterolf, | Lee, K. B., | Polen, | Wood, |
| Filo, | Leonard, | Prendergast, | Worley, |
| Fineman, | Light, | Price, | Wynd, |
| Floyd, | Limper, | Pursley, | Yatron, |
| Flynn, | Lippincott, | Reibman, | Yetter, |
| Foerster, | Lopresti, | Renwick, | Zimmerman, |
| Fox, | Luigard, | Rigby, | |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCandless, | Rovansek, | Speaker |
| Fulmer, | McCann, | Royer, | |

NAYS—0

NOT VOTING—32

| | | | |
|------------|-----------|-------------|------------------|
| Auker, | Ewing, | Markley, | Schuster, |
| Blair, | George, | Mihm, | Stone, |
| Breth, | Gibb, | Mills, | Trusio, |
| Burns, | Goodrich, | Monroe, | Ujosal, |
| Cooper, | Heavey, | Moran, | Whittaker, |
| Dengler, | Helm, | Mullen, | Williams, E. S., |
| Donahue, | Jump, | O'Dell, | Willaredt, |
| Donaldson, | Lamb, | Reidenbach, | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, by inserting between line 1 and 2:

"To the Chairman of the Milk Control Commission\$14,000
To the members of the Milk Control Commission other than the Chairman each\$13,000"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 3, by inserting between lines 4 and 5:

"To the Chairman of the Pennsylvania Liquor Control Board\$20,000
To the members of the Pennsylvania Liquor Control Board other than the Chairman of the Pennsylvania Liquor Control Board each..\$18,000"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. TOMPKINS. I am sorry that this mike is located over here so far that we cannot be seen down here in this corner.

I wanted to ask for some information on these amendments.

The SPEAKER pro tempore. Will the gentleman yield to the Majority Leader or does he wish to interrogate?

Mr. TOMPKINS. I do not wish to interrogate. All I wanted to ask was for an explanation of the amendments.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, on House Bill 2093 the bill had been amended previously in which the Liquor Control Board, the Chairman and the members, and the Milk Commission, the Chairman and the members, were removed from the bill. These amendments restore them to the bill, which means when House Bill 2093 is reprinted it will have both of these boards in the bill, same figures, no changes.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin, Mr. Hocker.

Mr. HOCKER. Mr. Speaker, when I asked if that was all that was in the amendments, the gentleman said, yes, and he only read, the Milk Control Board.

Is it a separate amendment that you are putting in to put the Liquor Board back in? A separate amendment?

Mr. McCANN. Mr. Speaker, they were separate amendments. They covered the Liquor Board and Milk Commission.

The SPEAKER pro tempore. For the information of the gentleman, the amendment acted upon was for Milk Control Commission and only one set was read and only one set adopted as far as the Chair is concerned.

On the question recurring,

Will the House agree to the amendments?

A division was called for, sixty-eight Members having voted in the affirmative and eighty in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 2295, Printer's No. 2004 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2458, entitled:

An Act amending "The Fish Law of 1925" approved May 2, 1925 (P. L. 448) exempting inmates of State institutions from license requirements.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JIM. Mr. Speaker and Members of the House, I am opposed to this type of legislation where we give a certain class of people the opportunity to fish without a license. We are having plenty of trouble here in the state of Pennsylvania for those who buy a license; it seems they do not catch enough fish. Therefore I am going to vote against this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Galley, | McDonald, | Sakulsky, |
| Anderson, | Gallagher, | McInroy, | Scarcelli, |
| Arlene, | Garlock, | McKeever, | Schaaf, |
| Ashton, | Gelfand, | McLaughlin, | Schwartz, |
| Balthaser, | Goldstein, J. H., | Machmer, | Seltzer, |
| Barton, | Goldstein, M. H., | Magee, | Sherman, |
| Bell, | Gramlich, | Mahan, | Shupnik, |
| Boles, | Guthrie, | Maxwell, | Silverman, |
| Bonner, | Hamilton, | Meholchick, | Snare, |
| Boris, | Heffner, | Merry, | Snider, |
| Bower, | Henzel, | Miller, B. Z., | Stank, |
| Bowman, | Hocker, | Miller, H. G., | Steckel, |
| Branca, | Holt, | Muldowney, | Stevens, |
| Brenninger, | Horst, | Munley, | Stewart, |
| Brown, | Irviss, | Murphy, A. J., Jr. | Stimmel, |
| Buchanan, | Isaacs, | Murphy, P. J., | Stoner, |
| Capano, | Jenkins, | Murray, H. P., | Strausser, |
| Capitolo, | Johnson, A. W., | Murray, J. J., | Stroup, |
| Cianfrani, | Johnson, R., | Murray, P. G., | Sullivan, |
| Cioffi, | Jones, F. R., | Musto, | Taylor, |
| Clarke, | Jones, T. H. W., | Naugle, | Thompson, |
| Comer, | Kamyk, | Needham, | Tompkins, |
| Crossin, | Kee, | Nelson, | Varallo, |
| Curwood, | Kelser, | O'Donnell, J. A., | Varner, |
| Davis, | Kernaghan, | O'Donnell, J. P. | Verona, |
| Dennis, | Kessler, | Odorisio, | Wall, |
| Dennison, | Knecht, | Ogilvie, | Walsh, |
| Devlin, | Kooker, | O'Neil, | Wargo, |
| Dougherty, | Kornick, | Parlante, | Weidner, |
| Down, | Korns, | Pashley, | Welsh, |
| Edwards, | Kovolenko, | Perry, H. H., | Wescott, |
| Ellberg, | Kubitsky, | Perry, P. E., | Wheeler, |
| Eshback, | Lee, A. M., | Petrosky, | Williams, A. D., Jr., |
| Eshleman, | Lee, K. B., | Polaski, | Willard, |
| Farabaugh, | Leonard, | Polen, | Wood, |
| Fetterolf, | Light, | Prendergast, | Worley, |
| Fineman, | Limper, | Price, | Wynd, |
| Floyd, | Lippincott, | Reibman, | Yatron, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Foerster, | Luigard, | Rigby, | Zimmerman, |
| Fox, | Lutty, | Riley, | |
| Frank, | McCandless, | Rovanssek, | Andrews, |
| Frascella, | McCann, | Boyer, | Speaker |
| Fulmer, | McCormack, | Rudisill, | |

NAYS—4

| | | | |
|-------|-----------|------|----------|
| Filo, | Holliday, | Jim, | Pursley, |
|-------|-----------|------|----------|

NOT VOTING—32

| | | | |
|------------|-----------|-------------|------------------|
| Auker, | Ewing, | Markley, | Schuster, |
| Blair, | George, | Mihm, | Stone, |
| Breth, | Gibb, | Mills, | Trusio, |
| Burns, | Goodrich, | Monroe, | Ujohal, |
| Cooper, | Heavey, | Moran, | Whittaker, |
| Dengler, | Helm, | Mullen, | Williams, E. S., |
| Donahue, | Jump, | O'Dell, | Willaredt, |
| Donaldson, | Lamb, | Reidenbach, | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceded to the third reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employes in such cases.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. GAILEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1227, entitled:

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|--------------------|------------|
| Agnew, | Galley, | McCormack, | Rudisill, |
| Anderson, | Gallagher, | McDonald, | Sakulsky, |
| Arlene, | Garlock, | McInroy, | Scarcelli, |
| Ashton, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Goldstein, J. H., | McLaughlin, | Schwartz, |
| Barton, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bell, | Gramlich, | Magee, | Sherman, |
| Boles, | Guthrie, | Mahan, | Shupnik, |
| Bonner, | Hamilton, | Maxwell, | Silverman, |
| Boris, | Heffner, | Meholchick, | Snare, |
| Bower, | Henzel, | Merry, | Snider, |
| Bowman, | Hocker, | Miller, B. Z., | Stank, |
| Branca, | Holliday, | Miller, H. G., | Steckel, |
| Brenninger, | Holt, | Muldowney, | Stevens, |
| Brown, | Horst, | Munley, | Stewart, |
| Buchanan, | Irviss, | Murphy, A. J., Jr. | Stimmel, |
| Capano, | Isaacs, | Murphy, P. J., | Stoner, |
| Capitolo, | Jenkins, | Murray, H. P., | Strausser, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Murray, P. G., | Sullivan, |
| Clarke, | Johnson, R., | Musto, | Taylor, |
| Comer, | Jones, F. R., | Naugle, | Thompson, |
| Crossin, | Jones, T. H. W., | Needham, | Tompkins, |
| Curwood, | Kamyk, | Nelson, | Varallo, |
| Davis, | Kee, | O'Donnell, J. A., | Varner, |
| Dennis, | Kelser, | O'Donnell, J. P. | Verona, |
| Dennison, | Kernaghan, | Odorisio, | Wall, |
| Devlin, | Kessler, | Ogilvie, | Walsh, |
| Dougherty, | Knecht, | O'Neil, | Wargo, |
| Down, | Kooker, | Parlante, | Weidner, |
| Edwards, | Kornick, | Pashley, | Welsh, |
| Ellberg, | Korns, | Perry, H. H., | Wescott, |
| Eshback, | Kovolenko, | Perry, P. E., | Wheeler, |
| Eshleman, | Kubitsky, | Petrosky, | Willard, |
| Farabaugh, | Lee, A. M., | Polaski, | Wood, |
| Fetterolf, | Lee, K. B., | Polen, | Worley, |
| Fineman, | Leonard, | Prendergast, | Wynd, |
| Floyd, | Light, | Price, | Yatron, |
| | Limper, | Pursley, | Yetter, |

| | | | |
|--|--|--|---------------------------------------|
| Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, | Reifman, Renwick, Rigby, Riley, Rovasek, Royer, | Zimmerman, Andrews, Speaker |
|--|--|--|---------------------------------------|

NAYS—1

Williams, A.D., Jr.,

NOT VOTING—32

| | | | |
|---|--|---|--|
| Auker, Blair, Breth, Burns, Cooper, Dengler, Donahue, Donaldson, | Ewing, George, Gibb, Goodrich, Heavyey, Helm, Jump, Lamb, | Markley, Mihm, Mills, Monroe, Moran, Mullen, O'Dell, Reidenbach, | Schuster, Stone, Trusio, Ujobai, Whittaker, Williams, E. S., Willaredt, Wilt, |
|---|--|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

HOUSE RESOLUTION No. 109

The resolution was read, considered and adopted as follows:

In the House of Representatives, September 10, 1959.

Whereas The inflationary trend of the last few decades has worked considerable hardships on all recipients of fixed dollar incomes and

Whereas This trend appears likely to extend into the future and

Whereas The General Assembly has provided for increases in the retirement allowances of annuitants and

Whereas Many bills proposing such increases have been introduced at recent sessions of the General Assembly therefore be it

Resolved That the Joint State Government Commission is hereby directed to make a comprehensive study of inflation upon retired State and public school employees of various methods of providing for cost of living adjustments in retirement allowances and of alternative methods of financing such adjustments and to report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

HOUSE RESOLUTION No. 132

The resolution was read as follows:

In the House of Representatives, November 16, 1959.

The recent amendment to Article II Section 4 of the Constitution of the Commonwealth of Pennsylvania which provides for annual sessions of the General Assembly and which restricts regular sessions convening in even-numbered years to laws raising revenue and laws making appropriations has given rise to several important constitutional and procedural questions.

In order to avoid confusion and insure an orderly legislative process it is imperative that the General Assembly be advised as to the proper interpretation of our Constitution in the light of this new amendment. Without advance study and a complete understanding between the two Houses of the General Assembly it is likely that views on what limitations exist upon the nature of bills which may or may not be introduced will differ greatly. Divergent views also exist on this and related questions between individual members in each House therefore be it

Resolved (the Senate concurring) That the Speaker of the House of Representatives appoint three members of the House who are well versed on questions of constitu-

tional law and legislative procedure two of whom shall be Democrats and one a Republican and that the President Pro Tempore of the Senate appoint three members of the Senate who are also well versed on questions of constitutional law and legislative procedure two of whom shall be Republicans and one a Democrat who together shall constitute a joint committee to make a thorough study of the recent amendment to Article II Section 4 of the Pennsylvania Constitution and related constitutional provisions and to define operating ground rules for the 1960 annual session and the "fiscal sessions occurring in even-numbered years thereafter; and be it further

Resolved That the committee make a report of its findings together with its recommendation for appropriate rules at the beginning of the 1960 Session of the General Assembly.

On the question,

Will the House adopt the Resolution?

Mr. A. W. Johnson offered the following amendments:

Amend first resolution, page 2, line 11 by striking out "operating ground rules" and inserting; "the types of legislation to be considered and limitations thereon."

Amend second resolution, page 2, line 15 by striking out "for appropriate rules."

They were agreed to.

The Resolution was agreed to as amended.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General Required in the Pennsylvania National Guard upon George Sarraf.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1251, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law" providing that a bond shall be submitted with a bid proposal.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 432.

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

HOUSE BILL No. 594.

An Act authorizing the Pennsylvania Historical Museum Commission to acquire the Pechin House providing for the repair of the Pechin House authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society and making an appropriation.

HOUSE BILL No. 647.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

HOUSE BILL No. 1161.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

HOUSE BILL No. 1172.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

HOUSE BILL No. 1261.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the operation of classes or schools for institutionalized children in counties of the second class the cost thereof to be paid by the Commonwealth.

HOUSE BILL No. 2063.

An Act authorizing the Department of Property and Supplies to acquire by gift on behalf of the Pennsylvania Historical and Museum Commission the historic property known as the Tuscarora Academy.

HOUSE BILL No. 2316.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

HOUSE BILL No. 2359.

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class" fixing the compensation of auditors.

HOUSE BILL No. 2371.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) changing definition of final average salary for classroom teachers with thirty-five or more years of service.

HOUSE BILL No. 2446.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies in counties of the eighth class may first be based on assessments from valuations made with the use of the permanent system of records.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 998.

An Act amending the "Public School Code of 1949" approved March 10, 1949 defining distressed school districts * * * defining the powers and duties of the Superintendent of Public Instruction.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

BILLS INTRODUCED AND REFERRED

By Messrs. DAVIS, GRAMLICH, RENWICK and ROVANSEK. HOUSE BILL No. 2463.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 136.

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

Referred to the Committee on Judiciary.

SENATE BILL No. 727.

An Act to provide for one additional law judge of the court of common pleas in the seventh judicial district.

Referred to the Committee on Judiciary.

SENATE BILL No. 794.

An Act to provide for one additional law judge of the common pleas in the fifteenth judicial district.

Referred to the Committee on Judiciary.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 162.

An Act amending the act of June 28, 1935 (P. L. 477) entitled as amended "An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen firemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period" extending the provisions thereof to the enforce-

ment officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole.

HOUSE BILL No. 626.

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making appropriation.

HOUSE BILL No. 1078.

An Act amending "The Dental Law" approved May 1, 1933 (P. L. 216) providing for biennial registration.

HOUSE BILL No. 1080.

An Act amending the "Professional Engineers Registration Law" approved May 23, 1945 (P. L. 913) providing for biennial registration.

HOUSE BILL No. 1081.

An Act amending the "Architects Registration Law" approved July 12, 1919 (P. L. 933) providing for biennial renewal of certificates and changing fees in accordance therewith.

HOUSE BILL No. 1082.

An Act amending the "Chiropractic Act of 1956" (P. L. 1206) providing for biennial renewal of registration and changing fees in accordance therewith.

HOUSE BILL No. 1083.

An Act amending the "Osteopathic Practice Law" approved March 19, 1909 (P. L. 46) providing for biennial registration.

HOUSE BILL No. 1084.

An Act amending the "Optometrists' Licensure Law" approved March 30, 1917 (P. L. 21) providing for biennial registration and changing fees in accordance therewith.

HOUSE BILL No. 1512.

An Act amending the "Pharmaceutical Practice Law" approved May 17, 1917 (P. L. 208) changing from annual to biennial registration.

HOUSE BILL No. 1513.

An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine" approved May 1, 1929 (P. L. 1216) changing from annual to biennial registration and increasing certain fees.

HOUSE BILL No. 1514.

An Act amending "The Veterinary Law" approved April 27, 1945 (P. L. 321) changing from annual to biennial registration.

HOUSE BILL No. 1515.

An Act amending the "Medical Practice Act" approved June 3, 1911 (P. L. 639) changing from annual to biennial registration and increasing the registration fee.

HOUSE BILL No. 1516.

An Act amending the "Chiropractic Registration Act of 1951" approved August 10, 1951 (P. L. 1182) changing from annual to biennial registration.

HOUSE BILL No. 1572.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating em-

ployes' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

HOUSE BILL No. 1589.

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption and conduct thereof by the Department of Welfare and fixing penalties" eliminating fees for licenses issued under the act.

HOUSE BILL No. 1948.

An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated as public parks, squares or similar uses.

HOUSE BILL No. 2291.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the sale of starter pistols to minors.

SENATE BILL No. 118.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" increasing the compensation of certain members of the Pennsylvania State Police Force and fixing minimum subsistence allowances.

SENATE BILL No. 209.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" clarifying certain provisions relating to expenses.

SENATE BILL No. 453.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of judges of the Municipal Court of Philadelphia.

SENATE BILL No. 864.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for appeal to the State Council of Education from decisions of county boards of school directors in certain cases.

SENATE BILL No. 932.

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit without the necessity of entering liens for such claims and repealing existing laws" providing for the recovery of water and sewer charges and the cost of removal of nuisances by actions of assumpsit.

SENATE BILL No. 1043.

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

SENATE BILL No. 1175.

An Act amending the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office" further regulating the salary of mine inspectors.

SENATE BILL No. 1187.

An Act making an appropriation to the Trustees of the George Jr. Republic Association Grove City Pennsylvania for repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

SENATE BILL No. 1238.

An Act amending the act of June 1, 1956 (P. L. 1959) entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court the President Judge and judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' courts the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County certain associate judges not learned in the law certain state officers and the salary and expenses of the members of the General Assembly and repealing certain inconsistent acts" increasing the compensation of Judges of the County Court and Juvenile Court of Allegheny County.

SENATE BILL No. 1247.

An Act amending the act of July 1, 1937 (P. L. 2460) entitled as amended "An act creating a joint legislative commission to be known as the Joint State Government Commission providing for its membership chairman and executive committee . . ." clarifying certain provisions relating to the powers of the Joint State Government Commission and standing committees of the General Assembly.

SENATE BILL No. 1248.

An Act amending the act of May 29, 1935 (P. L. 244) entitled "Local Government Commission law" clarifying certain provisions relating to the terms of the members and the powers of the Local Government Commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL No. 882.

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 882 entitled:

An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

And has appointed Messrs. Wagner, Stevenson and

Seyler a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 882 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON SENATE BILL No. 882.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. POLASKI, McDONALD and KNECHT.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

AMENDED SENATE BILL NON-CONCURRED
IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 785.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 785.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 810.

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 810.

The SPEAKER pro tempore. This being a Senate Bill, the report will lie over for printing by the Senate.

CAUCUS

The SPEAKER pro tempore. The Majority Leader wishes to announce that there will be a Democratic caucus on Monday at 2:30 p.m. The House will convene at 3:00 o'clock Monday, December 7.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to call a Republican caucus at the usual time on Monday, at 2:00 o'clock.

Mr. McCANN. Mr. Speaker, the tentative plan for next week is to meet on Monday, Tuesday and Wednesday, according to information the Senate gave us.

ADJOURNMENT

Mr. Wargo. Mr. Speaker, I move that this House do now adjourn until Monday, December 7, 1959 at 3:00 p.m. EST.

The motion was agreed to, and (at 2:00 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, DECEMBER 7, 1959.

No. 119.

SENATE

MONDAY, December 7, 1959.

The Senate met at 3:00 o'clock p. m.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. ROBERT A. MacASKILL, Pastor of Presbyterian Church, Gettysburg, offered the following prayer:

Let us pray.

Almighty and ever living God, humbly we beseech Thy favor and blessing upon the Senate of Pennsylvania, here assembled. Grant unto them sound minds and wise counsel, that they may deliberate with good judgment, fairness and justices. May they be ever aware of the responsibilities entrusted unto them as stewards of the things belonging to Thy Kingdom, and worthy successors of those who upheld truth and justice in this responsible capacity.

Direct and govern them with Thy Holy Spirit, preserving them from hasty judgment in vain dispute and selfish gain, and inspiring them with hearty love and true devotion. May they be empowered to devise and do those things which will be for the building of Thy building of Thy Kingdom, for the peace and purity of our people, for the welfare of our State and Nation, and for the good of the world.

Therefore, bless their deliberations and their labors, that they may be in accord with Thy will and receive Thy approbation.

All these things we ask in Jesus' Name, Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. ELLIOTT, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. SEYLER asked and obtained leave of absence for Mr. MAHADY, for today's Session.

The PRESIDENT pro tempore. At this time, the Chair requests the gentleman from Allegheny, Senator Fleming, to approach the rostrum to preside.

The PRESIDING OFFICER (Robert D. FLEMING) in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 1059, 1168, 1169, 1170, 1171, 1172 and 1179.**

SENATE BILLS RETURNED WITHOUT APPROVAL

He also presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been returned without approval: **SB 380, 827 and 868.**

The PRESIDING OFFICER. The communications and bills will be laid on the table.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **HB 1915, 1954 and 2382.**

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO **SB 882**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 882**, and has appointed Messrs. POLASKI, McDONALD and KNECHT as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL FROM THE GOVERNOR

He also informed the Senate that the House has concurred in resolution from the Senate, recalling **SB 297** from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate, **SB 1227**, with the information that the House has passed the same without amendments.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted

Report of Committee of Conference on **HB 1881**, which was placed on the Calendar.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence **HB 2458**, which was referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. KOPRIVER, JR., from the Committee on Mines and Mineral Industries, reported, as committed, **HB 1735** and **1740**.

Mr. CHAPMAN, from the Committee on Appropriations, reported, as amended, **HB 853**.

BILL INTRODUCED AND REFERRED

Mr. PECHAN presented to the Chair **SB 1270**, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," granting priority to claims for the costs of hospital care or services furnished to a decedent within six months of his death.

Which was committed to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE CONCURRENT RESOLUTIONS

The Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor, advising that Senate Concurrent Resolutions, recalling from the Governor **SB 297** and **1133**, had been approved and signed by the Governor, which communications and bills were laid on the table.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM FURTHER CONSIDERATION OF **HB 263**

Mr. MULLIN offered the following resolution, which was read as follows:

In the Senate, December 7, 1959.

Resolved, That House Bill No. 263, Printer's No. 1541, entitled "A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes on natural persons from requirement of uniformity in certain cases," having been referred to the Committee on Rules on September 2, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I object to this resolution and request by colleagues to vote "no."

Mr. MULLIN. Mr. President, I ask that a roll call be taken on this resolution.

Mr. SILVERT. Mr. President, I second the request for a roll call vote.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. MULLIN and Mr. SILVERT, and were as follows, viz:

YEAS—8

Mullin,
Murray,

Ripp,
Ruth,

Seyler,
Silvert,

Stiefel,
Weiner,

NAYS—18

Berger,
Blass,
Chapman,
Ehrgood,
Fleming,

Kessler,
Koprivier, Jr.,
Kromer,
Pechan,
Proper,

Scott,
Shafer,
Stevenson,
Taylor,

Wade,
Wagner,
Walker,
Whalley,

So the question was determined in the negative, and the resolution failed of adoption.

SB 24 TAKEN FROM TABLE

Without objection, Mr. BERGER called from the table **SB 24**.

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO **SB 24**

Mr. BERGER. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to **SB 24**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 297, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. SILVERT called from the table **SB 297**, which was called from the Governor for the purpose of amendment.

RECONSIDERATION OF **SB 297**, RECALLED FROM THE GOVERNOR

Mr. SILVERT. Mr. President, I move that the Senate do now consider the vote by which **SB 297**, passed finally on August 31, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

Mr. HAYS. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SILVERT. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

Mr. HAYS. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HAYS. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, may we be at ease a few moments?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SILVERT. Mr. President, I request that this bill be placed on the Third Reading Calendar.

The PRESIDING OFFICER. There being no objection, the bill will be placed on the Third Reading Calendar.

SB 1106, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 1106**, which was recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF SB 1106, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which **SB 1106**, passed finally on September 15, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. PECHAN. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. PECHAN. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that this bill be placed on the Third Reading Calendar.

The PRESIDING OFFICER. There being no objection, the bill will be placed on the Third Reading Calendar.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

HB 1822—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 1822**, recalled from the Governor.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|-----------|
| Barr, | Hays, | Mullin, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Propert, | Wade, |
| Chapman, | Koprivier, Jr., | Ripp, | Wagner, |
| Confair, | Kromer, | Rooney, | Watkins, |
| DiSilvestro, | Lane, | Ruth, | Weiner, |
| Donolow, | Madigan, | Sarraff, | |

Thrgood,
Elliott,
Flack,
Harney,

Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Scott,
Seyler,
Shafer,
Silvert,
Stevenson,

Whalley,
Wolfe,
Fleming,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2376—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 2376**, recalled from the Governor.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraff,
Scott,
Seyler,
Shafer,
Silvert,
Stevenson,

Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,
Fleming,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS OF COMMITTEES OF CONFERENCE

SB 810—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

HB 959—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 959**, entitled:

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Elliott,
Flack,
Harney,
Hays,

Kalman,
Keller,
Kessler,
Kromer,
Lane,
Madigan,
Mallery,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraff,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—4

Ehrgood, Koprivier, Jr. Walker, Fleming,
Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1099—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1099**, entitled:

An Act amending "The Professional Nursing Law" approved May 22, 1951 (P. L. 317) providing for biennial registration.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Hays, | Mullin, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Propert, | Wade, |
| Chapman, | Koprivier, Jr. | Ripp, | Wagner, |
| Confair, | Kromer, | Rooney, | Walker, |
| DiSilvestro, | Lane, | Ruth, | Watkins, |
| Donolow, | Madigan, | Sarrafi, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | Silvert, | Fleming, |
| | Miller, | Stevenson, | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2319—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 2319**, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing for the sale of borough owned electric light plants and the effect thereof.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarrafi, | Whalley, |
| Elliott, | McCreesh, | Scott, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |

NAYS—2

Seyler, Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING

SB 364—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mallery, | Sarrafi, | Weiner, |
| Ehrgood, | McCreesh, | Scott, | Whalley, |
| Elliott, | McGinnis, | Shafer, | Wolfe, |
| Flack, | McMenamin, | Silvert, | Fleming, |
| Harney, | Miller, | Stevenson, | Presiding Officer |

NAYS—2

Hays, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 413—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 652—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 663—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Stiefel, |
| Berger, | Keller, | Pechan, | Taylor, |
| Blass, | Kessler, | Propert, | Van Sant, |
| Camiel, | Koprivier, Jr. | Ripp, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| Confair, | Lane, | Ruth, | Walker, |
| DiSilvestro, | Madigan, | Sarrafi, | Watkins, |
| Donolow, | Mallery, | Scott, | Weiner, |
| Ehrgood, | McCreesh, | Seyler, | Whalley, |
| Elliott, | McGinnis, | Shafer, | Wolfe, |
| Flack, | McMenamin, | Silvert, | Fleming, |
| Harney, | Miller, | Stevenson, | Presiding Officer |
| Hays, | Mullin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 900—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 401), page 3, line 4 by inserting after "whether": "previously"; Amend Sec. 1 (Sec. 401), page 3, line 8 by inserting after "whether": "previously"; Amend Sec. 1 (Sec. 405), page 3, line 15 by inserting after "whether": "previously"; Amend Sec. 1 (Sec. 405), page 3, line 18; page 4, line 2 by inserting a bracket before "No" in line 18, page 3 and after "sanitarium" in line 2 and inserting immediately thereafter: "Proceedings to have such child adjudicated as neglected or dependent shall be commenced within sixty days after placement in any institution or home".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

HB 1121—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 18 by inserting after "parent": "or legal guardian".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. VAN SANT.

HB 1122—Without objection, the bill was passed over in its order at the request of Mr. VAN SANT.

SB 1189—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1195—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Stiefel, |
| Berger, | Keller, | Pechan, | Taylor, |
| Blass, | Kessler, | Propert, | Van Sant, |
| Camiel, | Koprivier, Jr., | Ripp, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| Confair, | Lane, | Ruth, | Walker, |
| DiSilvestro, | Madigan, | Sarraf, | Watkins, |
| Donolow, | Mallery, | Scott, | Weiner, |
| Ehrgood, | McCreesh, | Seyler, | Whalley, |
| Elliott, | McGinnis, | Shafer, | Wolfe, |
| Flack, | McMenamin, | Silvert, | |
| Harney, | Miller, | Stevenson, | Fleming, |
| Hays, | Mullin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 1204—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 816), page 2, line 18 by striking out "shall" and inserting: "may"; Amend Sec. 1 (Sec. 816), page 2, line 20 by striking out "shall" and inserting: "may".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. VAN SANT.

SB 1242—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 1266—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camiel, | Koprivier, Jr., | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarraf, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Ehrgood, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silvert, | Fleming, |
| Harney, | Miller, | Stevenson, | Presiding Officer |
| Hays, | Mullin, | Stiefel, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1608—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camiel, | Koprivier, Jr., | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarraf, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silvert, | Fleming, |
| Harney, | Miller, | Stevenson, | Presiding Officer |
| Hays, | Mullin, | Stiefel, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1610—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camiel, | Koprivier, Jr. | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarra, | Wetner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silver, | |
| Harney, | Miller, | Stevenson, | Fleming, |
| Hays, | Mullin, | Stiefel, | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1611—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camiel, | Koprivier, Jr. | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarra, | Wetner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silver, | |
| Harney, | Miller, | Stevenson, | Fleming, |
| Hays, | Mullin, | Stiefel, | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1612—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|---------|----------|----------|-----------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |

| | | | |
|--------------|-----------------|------------|-------------------|
| Camiel, | Koprivier, Jr., | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarra, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silver, | |
| Harney, | Miller, | Stevenson, | Fleming, |
| Hays, | Mullin, | Stiefel, | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1613—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camiel, | Koprivier, Jr., | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarra, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silver, | |
| Harney, | Miller, | Stevenson, | Fleming, |
| Hays, | Mullin, | Stiefel, | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1734—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camiel, | Koprivier, Jr., | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarra, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silver, | |
| Harney, | Miller, | Stevenson, | Fleming, |
| Hays, | Mullin, | Stiefel, | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1980—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Sec. 3 (Sec. 1215), page 14, line 6 by inserting after "shall": "remove the perforated corner containing the number." Amend Sec. 3 (Sec. 1215), page 14, lines 9 and 19 by inserting brackets before "exhibit" in line 9 and after "shall" in line 19.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

HB 2170—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2192, 2193 and 2273—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 2423—Read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Murray, | Taylor, |
| Berger, | Keller, | Pechan, | Van Sant, |
| Blass, | Kessler, | Propert, | Wade, |
| Camel, | Koprivier, Jr., | Ripp, | Wagner, |
| Chapman, | Kromer, | Rooney, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Sarrafi, | Weiner, |
| Donolow, | Mallery, | Scott, | Whalley, |
| Ehrgood, | McCreesh, | Seyler, | Wolfe, |
| Elliott, | McGinnis, | Shafer, | |
| Flack, | McMenamin, | Silvert, | Fleming, |
| Harney, | Miller, | Stevenson, | Presiding Officer |
| Hays, | Mullin, | Stiefel, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 63—The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. RUTH offered the following amendments:

Amend Sec. 4, page 6, lines 10 to 20; page 7, lines 1 to 19; page 8, lines 1 to 20; page 9, lines 1 to 3, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. RUTH offered the following amendment:

Amend Title, page 1, last two lines of Title; page 2, first two lines of Title, by striking out "and prohibiting local authorities" in next to last line of Title, all of last line of Title, page 1; all of first line of Title and "poses" in second line of Title, page 2.

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RUTH.

HB 66—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 117—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 203—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendments:

Amend Sec. 1 (Sec. 1), page 5, line 3, by striking out "and." Amend Sec. 1 (Sec. 1), page 5, lines 3 and 4, by striking out "promulgated by" and inserting: "and policies established by the Governor." Amend Sec. 1 (Sec. 1), page 5, line 4, by inserting after "board": "and." Amend Sec. 1 (Sec. 1), page 5, line 5, by striking out "or both."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

HB 506 and 634—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SB 993—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "The title and section 1 and 3" and inserting: "Section 1." Amend Sec. 1, page 2, line 8, by striking out "are" and inserting: "is." Amend Sec. 1 (Title), page 2, lines 9 to 16, by striking out all of said lines. Amend Sec. 1 (Sec. 3), page 3, lines 5 to 14, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendment:

Amend Title, page 1, next to last line of Title, by striking out "deleting provisions requiring the collection of tolls and."

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WADE.

HB 1057—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

ADVISING OF CORRECT PRINTER'S NUMBER

The PRESIDING OFFICER. The Chair wishes to advise the Senate that the correct printer's number on House Bill No. 1108, which is the next bill appearing on the Calendar, is 2072 and not 2067.

BILLS ON SECOND READING

HB 1108—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

SB 1215—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

SB 1256—Mr. WEINER. Mr. President, I request that **SB 1256**, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. EHRGOOD. Mr. President, I object to these bills going over in their order. They are Senate Bills and we are trying to wind up this Calendar. I think if we move them up, we will still have plenty of time, until tomorrow, to study them.

Mr. WEINER. Mr. President, I appreciate the gentleman's sentiment. I hope he will apply the same sentiment to the remainder of the Calendar, where there appear bills which have been on the Calendar, also, for quite a number of weeks.

This is rather an important matter, Mr. President. Both Senate Bill No. 1256 and Senate Bill No. 1257 relate to Philadelphia and to Pittsburgh. I think the Senator should extend the same courtesy to the gentlemen who come from those districts to, at least, have the opportunity to discuss this matter with some of the people in their own areas, in order to get the sentiment of opinion. There are some people in our district who feel very strongly for these bills and there are others who feel very strongly against them. I think this matter is not that earth shaking. We are changing the procedure whereby these members who have been appointed all along are now going to be elected. I think we should, at least, have the opportunity to have that sentiment.

If this affects Senator Ehrgood's District, or in any way affects him, I cannot understand it. However, if it does, if he will explain it to me and I find a need for haste, I will be very happy to proceed on that basis.

Mr. EHRGOOD. Mr. President, with such prevailing thoughts, I will withdraw my objection. However, I do hope that we can get through with these bills. We are drawing to the end of this Session, and, after all, they were introduced a few weeks ago. I know that all of Philadelphia would probably be in favor of it because they want the vote of the electorate to decide things.

Mr. WEINER. If the gentleman persists, Mr. President, I will ask that there be a roll call to pass this bill on second reading.

The PRESIDING OFFICER. The gentleman has acceded to your request, Senator, that the bill go over in its order.

Mr. WEINER. I am sorry, Mr. President. I want to thank the gentleman.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

SB 1257—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 1262, 1264, 1265, HB 1344 and 1355—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

HB 1380—Mr. PECHAN. Mr. President, I request that **HB 1380**, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I object to this bill going over in its order. I wish the gentleman from Lebanon would also make his voice heard at this point.

This bill has been on the Senate Calendar since September 30. It was amended, on Second Reading, on October 14 and was referred to the Committee on Education on June 22. Last week, after I asked the gentleman—I believe it was Senator Pechan who was handling the desk at that time—what action would be taken, he told me that it would be handled this week. I believe if Senator Ehrgood, who is anxious to clean up the bills on this Calendar and bring this Session to an end, would add his voice to mine, I think he could use some influence over there to move this particular piece of legislation.

Mr. EHRGOOD. Mr. President, there is an old saying, "What is good for the goose is good for the gander." I gave the gentleman a little Senatorial courtesy and I am sure that he will give this side, if Senator Pechan wants the bill to go over in order, the same courtesy.

Mr. WEINER. Mr. President, I believe that the equities are not the same here. Senate Bill No. 1256 and Senate Bill No. 1257 were merely reported from committee last week. House Bill No. 1380 has been on our Calendar since some time in September.

If I remember correctly what Senator Pechan told me, he said that action would be taken on this bill some time on Monday. If he did not mean Monday and I made a mistake on what he said, I wish he would correct me.

The PRESIDING OFFICER. Objection has been raised to this bill going over in its order.

Mr. PECHAN. Mr. President, I now move that **HB 1380** go over in its order.

Mr. ELLIOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative, and the bill was passed over in its order.

HB 1474—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I realize that it is out of order to discuss bills after they have passed Second

Reading. However, I think this is a rather far-reaching measure. I would suggest to the Members of this Body that, before they vote on this measure, they look at it very carefully and perhaps get some advice between now and the next Session of the Senate.

What is being done here is that you are allowing funds, which people look toward to retire upon, to be invested in corporation common stock. The only criterion for investing in those corporate stocks is that those corporations, out of a ten year period, must have an eight year period wherein they paid a dividend or some interest on the stock.

The question I raise here is: Suppose we invest in the eighth and ninth year, or the eighth and the tenth year. What happens then to the people who are looking forward to this fund? I do not think the people who drew this bill intended this to take place.

Therefore, Mr. President, I respectfully ask that the Members of the Senate look at this measure rather carefully before voting upon it. I think it just goes further than we want to go.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I agree with the Minority Leader that discussion of bill on Second Reading is more or less futile. However, I want to assure him that we will take a good look at it. I would not be surprised if some of the Members on this side might concur in the thinking of the Minority Leader.

BILLS ON SECOND READING

HB 1830 and 1927—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 1971—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER, on behalf of Mr. FLEMING, offered the following amendment:

Amend Sec. 1 (Sec. 406), page 5, line 9, by striking out "primary immediately preceding the".

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I am going to object to this amendment, and I do reluctantly with the idea that the gentleman in the Chair is the sponsor of this amendment. My reasons for objecting to this amendment are as follows:

First of all, this would immediately, I believe, kill the bill. I think the Governor has announced, as a policy, that he would not sign this bill if it came to him in such form as providing that this matter be acted upon in the General Election.

Secondly, I do not believe you should confuse an issue as important as this. The only two cities involved are the city of Pittsburgh and the city of Philadelphia. Any other city may be included in this bill by amendment if it is desired. One of the primary concerns of both of these cities, at the moment, is the loss of revenue to not only the cities themselves, but also to the State. People

who cannot use the facilities which are available there, find themselves going out of the city. In the city of Philadelphia, they go across the Delaware River Bridge into New Jersey, and from Pittsburgh into Ohio. We have lost many conventions in the city of Philadelphia, and I am sure the same is true of Pittsburgh.

I noticed a beautiful new hotel the last time I was in Pittsburgh. Without giving a commercial to the Hilton Hotel, I think it is just about the last word in hostelry in this Country.

It comes in ill-grace to try to destroy this measure by this means, if what we want to do is allow the people to vote on this measure to decide whether they want it or not. I think we should give them that opportunity. It is not good to try to confuse it with voting for candidates or voting for a party in the General Election. Politically, it may have some merit. I do not know anything about that. I would say, generally, if the issue is clear-cut, a primary Election is the time for such a decision.

The PRESIDING OFFICER. The Chair at this time would like to turn the gavel over to Senator Scott, and ask for the floor.

The PRESIDING OFFICER. (William Z. Scott) in the Chair.

And the question recurring,

Will the Senate agree to the amendment?

Mr. FLEMING. Mr. President, the Minority Leader offered arguments that could be arguments in favor of this bill, just as there can be arguments against the bill on final reading. However, the amendment merely calls for a change in the referendum from the Primary Election day to the General Election day.

I feel that on a measure such as this, if it is to be presented to the voters, the greatest number possible of those voters should decide whether or not this should be agreed to. Certainly—and while I do not approve of it—the fact remains that so few of the people vote at a Primary Election that a real cross section of the feeling of the people could not be received or would not be felt at a Primary Election. Certainly an issue such as this that affects the morals of the two cities involved, and eventually would affect all of the Commonwealth, I fear, should be decided at an election in which the greatest number of people vote.

Therefore, I would urge my colleagues to support this amendment.

Mr. STIEFEL. Mr. President, the next General Election will be in 1960 when the people of the United States generally, and the people of Pennsylvania, will be asked to vote for candidates for the Presidency of the United States. To have an issue of this kind come up in an election when the President is to be elected is dooming it to perdition, because who is going to pull the little levers on the machine?

Now we see that amendments to the Constitution are neglected, let alone a measure of this kind. For this reason, this amendment vitiates the bill completely. The moment this amendment is adopted, there is no point in having the bill.

For this reason, Mr. President, I feel that if this amendment is adopted, there is no use even to vote for the bill. It is useless, because the people of Philadelphia and Pittsburgh will pay very little attention to a referendum when they have to vote for something as important

as the President of the United States. The only time to decide upon this issue is at a Primary Election.

Mr. KROPRIVER, JR. Mr. President, just so they pull the lever for Kopriver, it is O.K. by me.

Mr. WEINER. Mr. President, I believe the gentleman's fears are ill-founded. I believe that both sides, those who advocate this measure and those who are against it, would certainly create enough of a storm in both cities to insure that an adequate number of voters would come out. There would be a lot of advertising, and I am sure there would be a lot of committees formed, both pro and con, on this matter.

Both political parties have taken positions on this matter—or so their platforms indicate—and I believe that this would also tend to bring out the voters. If you will look at the results of the last Primary Election in the city of Philadelphia, you will find that quite a large number of people turned out.

I do not feel that mixing this in with the Primary Election, where the issues are should Party X or Party Y predominate or should Candidate X or Candidate Y predominate, would cause confusion. However, by placing this referendum on the ballot in a General Election, you are forcing your candidate to take a position on this problem. The moment he does so, it is no longer the candidate or the party for which the people are voting. It is the issue that they are voting for or against. I think this is not a healthy way to test out this vital issue.

I would ask my colleagues to vote "no" on this amendment.

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the Senate agree to the section as amended?

Mr. STIEFEL. Mr. President, I believe this is one time when voting by a voice vote is not proper, because I am sure there are many Members among the Republican Majority who would like to be heard, and they are lost in the shuffle of a voice vote.

The PRESIDING OFFICER. Senator Stiefel, there was definitely a predominance of "ayes," as far as the Chair was concerned.

And the question recurring,

Will the Senate agree to the section as amended?

It was agreed to.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HB 1977, 2018, 2019 and 2108—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 2209—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2277—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1108 CALLED UP

HB 1108—Without objection, the bill, which previously

went over in its order, was called up, from page 12 of the Second Reading Calendar, by Mr. BERGER.

HB 1108—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER. Mr. President, House Bill No. 1108 appears on the Calendar, as has already been noted, under Printer's No. 2067, which, as I understand it—and I ask the Chair whether I am correct—was the printer's number on the bill as it was reported from committee, as amended. Is that correct, Mr. President?

The PRESIDING OFFICER. My information is that the latest printer's number on House Bill No. 1108, as it was reported from committee, is Printer's No. 2072.

Mr. SEYLER. Mr. President, when did the Printer's No. 2067 appear on the bill for the first time?

The PRESIDING OFFICER. For the information of the Members of the Senate, the Chair has been informed that at the time of the printing of House Bill No. 1108, as it had been reported from committee, with amendments, there were a number of errors in the printing. The printing was then recalled and a new printer's number had been given to House Bill No. 1108 in its correct form. The new printer's number is Printer's No. 2072.

Mr. SEYLER. As I understand it then, Mr. President, the bill was reported from committee, with amendments, with Printer's No. 2067. Changes were necessary, as I understand the Chair, for correctional purposes, and some other amendments were added to the bill, thereby correcting the errors. Is that correct?

The PRESIDING OFFICER. That is not correct.

As I understand the situation, at the time when the bill went into print, when it was reported from committee with amendments, it was assigned a printer's number. That printer's number was 2067. A number of copies were printed and then it was discovered there were errors in the printing of the bill. All of those copies were recalled and the corrected bill was printed, and it was given a new printer's number which was 2072.

Mr. SEYLER. By a vote of what committee, Mr. President, was Printer's No. 2072 authorized? Was that just done by the Chair?

The PRESIDING OFFICER. The information which I have, Senator Seyler, is that it was done by the Secretary of the Senate's Office.

Mr. SEYLER. Mr. President, it is my understanding that amendments can only be made by the vote of either a committee or by this Body, the Senate. I do not know of any rule or precedent which authorizes the Secretary of the Senate to place amendments in a bill.

Mr. BERGER. Mr. President, no amendments were placed in the bill other than those which were contained in the bill when it came from committee.

The PRESIDING OFFICER. What committee was that?

Mr. BERGER. From the Rules Committee.

The original bill, as amended, now bears the printer's number of 2072.

Mr. SEYLER. Mr. President, in all of my experiences here, when correctional amendments or any kind of amendments—have been placed in a bill, it has been done either by a vote of the committee which had custody of the bill, or it has been done by a vote of this Body. All

I am asking is, by a vote of whom? By a vote of what authorized body were the corrections made which now appear in House Bill No. 1108, Printer's No. 2072?

The PRESIDING OFFICER. As I understand the situation, when House Bill No. 1108 was reported from the Rules Committee, it was reported with certain amendments. When the printing was done, the error was made in the printing. The amendments were not correctly inserted in House Bill No. 1108. When the printing error was discovered, the bill was then recalled and the correct amendments, deleting the printer's errors, were placed in the bill. Then a new printer's number was given to the bill, which was Printer's No. 2072. There were no new amendments placed in the bill over and above those which were voted upon by the Rules Committee.

Mr. SEYLER. Mr. President, I accept the statement of the Chair. I question the procedure, but this is merely my opinion. I am not going to take any action on it. I question the procedure which was used. However, I would like to bring this point to the attention of the Senate.

Senator Hays and I had amendments drawn to House Bill No. 1108, with Printer's No. 2067. In good faith, we had amendments drawn. Today, we discovered that Printer's No. 2072 was the correct printer's number. We conferred with a representative, in this Chamber, of the Legislative Reference Bureau. He has informed us that it will be necessary, in order to make our amendments fit the present form of the bill, to have them completely withdrawn. The amendments are extensive in nature and they are lengthy. He informed us that it will be physically impossible for that efficient agency, straining to the utmost, to have these amendments present at today's Session.

Therefore, Mr. President, in order that we could present amendments which we had intended to present, and which we had drawn and ready to offer to House Bill No. 1108, as it appeared under Printer's No. 2067, we asked for an extension of time. That was the reason for my asking that bill go over in its order, so that we could have prepared amendments which would fit the bill in its present form.

Mr. President, I again request that the bill go over in order so that we may have time to prepare amendments because, through no fault of our own,—and certainly with what was rather questionable procedure in my opinion—the amendments we had planned to present do not fit the present form of the bill.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from York, Senator Seyler.

The PRESIDING OFFICER. Will the gentleman from York, Mr. Seyler, permit himself to be interrogated?

Mr. SEYLER. I will, Mr. President.

Mr. BERGER. Mr. President, I merely wish to inquire of the Senator whether he has ever been refused consent to offer amendments on Third Reading.

Mr. SEYLER. I have not, Mr. President. However, the rules state that one single Member objecting, whether it be on this side or the Majority side, is sufficient to prevent me from so doing. I would prefer, since the incident occurred as I recounted before, that we be given the day in order for us to get the amendments, personally look over the amendments and be prepared to offer them tomorrow. I would prefer to do this on Second Reading.

I realize, when the gentleman tells me there will be no objection from his side, that he speaks in good faith. I have not canvassed my own side. I do not know what the sentiment might be on my amendments on this side of the aisle.

Therefore, Mr. President, I still would request that the bill go over in order.

Mr. BERGER. Mr. President, I object to the bill going over in its order.

And the question recurring,

Will the Senate agree to the section?

POINT OF ORDER

Mr. SEYLER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. SEYLER. Mr. President, I would suggest to the Chair that the procedure by which Senate Bill No. 1108 advanced from Printer's No. 2067 to Printer's No. 2072 was not according to the rules of this Senate. I ask the Chair to rule on my point of order.

Mr. WEINER. Mr. President, may I respectfully suggest for the Chair's consideration, before he makes a ruling on the point of order, one other factor which I think should be considered here.

I think the gentlemen in this Body, or any legislative body, must go by the Calendars as presented to them. The basis of that Calendar is not only the number assigned to the bill, but also the printer's number, which is the basis upon which we read these bills. None of the Members of this Senate, following the Calendar, would know that this had a different number other than Printer's No. 2067, unless they picked up the package of bills here today and found Printer's No. 2072 within it.

If you will look at Printer's No. 2067,—which I am sure you have—you will find that it does not read very coherently and you will find that many of the brackets just do not fit the bill. Many of the Members coming here and reading that printer's number would be completely confused, and would have had no opportunity to study or to vote on this measure properly.

Mr. BERGER. Mr. President, I suggest that the correct interpretation of this situation is that the bill, as printed and appearing upon the Senators' desks, is the one which is under consideration. The Calendar is merely a guide to the bills in their order. There have been many bills on our Calendars, in times past, where the wrong printer's number was assigned.

In this situation, what happened was that the bill was assigned a new printer's number in order that the printer might keep his records straight on the printing of the bill with the correct amendments in it. There has been no deviation from the form of the bill as it came from the Rules Committee. The Calendar is not the prevailing document. It is the bill itself, with the printer's number inscribed thereon.

Mr. WEINER. Mr. President, may I then respectfully suggest to the Chair that, taking what the Majority Floor Leader has just said as being completely true and not arguing with his interpretation of this matter, we should then concern ourselves with one other factor.

In regard to the new bill, which appeared on our desks here today, there certainly was not an opportunity for the bill to be looked at. There would be no way of going

back to the Legislative Journal to find out how this new number came about, other than the interpretation from the Chair, which only occurred when the bill came up before us. As you will readily see, this measure is one which involves forty-one pages. There are a great number of not only corrective amendments, but new amendments to the measure. There was one which was made right in the Rules Committee. I believe that a single day would not make any difference in this measure. I am not concerned with the printer's number, but I am concerned about where we are going to get that other number and the amount of money to fill the number which is stated in the bill. We, however, will concern ourselves about that later.

I think the biggest problem is that you have no sequence of sixty-seven into seventy-two. You would find there would be no use in going back to the Journal, which is also a guide to the Senators or Legislators, as to how these new numbers came about and the purpose therefor.

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. BERGER. Mr. President, without receding at all from the position I took as far as the bill itself being the prevailing document, but as long as the question has been raised and some of the Senators feel that the procedure might be open to question, which I do not agree with, I will withdraw my objection to the bill going over in its order.

Mr. SEYLER. Mr. President, I thank the gentleman for his very generous action.

The PRESIDING OFFICER. Does the gentleman withdraw his request for a ruling at this time?

Mr. SEYLER. I will, Mr. President.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILLS ON SECOND READING

HB 2380, 2402, 2409, 2422, 2430, 2431, 2455 and 2456—
Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

SENATE RESOLUTION, SERIAL No. 86, CALLED UP

Mr. BERGER, without objection, called up from page 18 of the Calendar, Senate Resolution, **Serial No. 86**, entitled:

Senate Committee to confer with the Pennsylvania Turnpike Commission and the Department of Highways to alleviate traffic jams on the Turnpike.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 86, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt Senate Resolution, **Serial No. 86**.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 853, 1735 and 1740**.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, December 8, 1959, at 1:00 o'clock p.m.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:06 o'clock p.m.

HOUSE OF REPRESENTATIVES

MONDAY, December 7, 1959.

The House met at 3:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God and Everlasting Father, with calm and steadfast composure we approach Thee in this hour; we are not strangers or wanderers in Thy presence, but are stewards of the mysteries of Thy kingdom. Make us true and faithful to the calling which Thou hast given us. Enlighten us with the knowledge of Thy wisdom that we may rightly discern the true and the good. And quicken our pace that with the utmost speed we may bring to pass Thy purposes in our world. This we covet for these Members in the name and for the sake of Jesus Christ, Thy dear Son, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, November 9, Tuesday, November 10, Wednesday, November 11 and Thursday, November 12, 1959? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, December 2, 1959 will be postponed until printed.

The Chair hears none.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, with the permission of the Chair and the Members of the House we would like to announce to the Membership here today that at the present time we are in a position in which better than 30 of our House members are tied up on the Pennsylvania Turnpike at the present time.

A great number of them are at a place called Brandywine, some are on the western end of the turnpike, and the State Police have called the office to inform us that they believe they will be able to get the traffic through by this evening some time.

With the situation as it exists, I am recommending to the House here today that we proceed with the swearing in ceremonies of our newly-elected Member from Allegheny County, Dr. Haudenshield, and at the expiration of the swearing in ceremony that this House adjourn until 1:00 p. m. tomorrow and operate, since we have already caucused on our calendar, and move right on.

I hope that this meets with the approval of the Membership of the House and will give all Members an opportunity, who are stranded on the Pike today to be a part of this Session, since they have been traveling all day to get here.

The SPEAKER. The Chair understands that the arrangement meets with the approval of the Minority Leader.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

PERMISSION TO ADDRESS HOUSE

Mr. STRAUSSER asked and obtained unanimous consent to address the House.

Mr. Speaker, for quite some time I have felt the urge to talk about a matter which should be the concern of all Members of this House. The Speaker's last week's edition of "Dispelling the Fog," the Majority Leader's last week's statement regarding "Gas Tax," and the appearance of House Bill 2459 on last week's calendar all provided the final push to get me on my feet.

Mr. Speaker, as stated in your "Dispelling The Fog," I often find myself all mixed up in trying to understand our planning. We hear and read a lot about loop-holes, double-dippers, and so forth, in connection with the Unemployment Compensation Act. We have heard nothing about the slush funds, double-dippers, and so forth, that we are responsible for in connection with the allocations of our highways funds. This is what I feel should be discussed at this time.

It is alleged that the financial condition of the Highway Department is on the critical list and there are those who feel the only cure is to add an additional cent to the gasoline tax. I personally feel that the one cent additional Gas Tax Bill is a dead duck, and based on this assumption we should do something about rectifying the excessive allocations of liquid fuels tax money back to our counties. It is this allocation that is being used by some county commissioners as a slush fund to perpetuate themselves in office. By hoarding taxpayer's money in their county liquid fuels fund for two to three-year periods and putting it out to the political subdivisions the fourth year, the year they come up for re-election, they thus make an election slush fund of this money. By allowing this excessive allocation to our counties to remain unchanged, we encourage our municipalities to continue to be double-dippers into this fund. If the allocations to counties were reduced 50 percent this action would not only provide \$15 million more moneys to finance our Commonwealth's 10 percent of an additional \$150 million of our national government's interstate highway system, but it would also help justify the state's taking over the 164 miles of county roads and 189 county bridges from Allegheny County, as provided under part of House Bill No. 2459. Such a bill should ride along as a companion bill to House Bill 2459. In the event this House agrees, there is such a bill in the Rules Committee. If the sponsorship of this bill is not acceptable, I know the sponsor would be glad to withdraw his name from the bill to make room for acceptable sponsors.

For the benefit of those who might be confused by this suggestion, may I assure them that this proposal in no way affects the liquid fuels allocations which are made directly to the municipalities in their districts.

To clarify: Under Act 427 of the 1957 Session, we man-

dated that \$30 million per year be appropriated directly to our municipalities on a 60-40 basis. This \$30 million represents one cent of the total five cents per gallon tax on gasoline. My proposal does not change this Act.

Under Section 10 of Act 105 of the 1931 Session, the Legislature then mandated that $\frac{1}{2}$ cent per gallon of the gas tax be returned to the 67 counties for the construction and maintenance of county-owned roads and bridges and permitted redistribution to the political subdivisions. This is the Act which would be affected by the proposal offered.

My reasons for the suggestion made: The allocation under the Acts of 1931 and 1957 leave the Highway Department three and one half cents for the construction and maintenance of more than 41,000 miles of state highways and bridges. This three and one-half cents represents \$105 million per year. By taking this amount over 41,000, we come up with an average unit cost of \$2,561 per mile allowance to take care of our state highway system of roads and bridges.

Now let us try to compare this unit cost of \$2,561 with the unit we get by taking the allocation of \$15 million to the counties under the 1931 Act. By taking this amount over the total 763.38 miles of county-owned roads and bridges we come up with an average unit cost of \$19,649 per mile allowance to take care of county-owned roads and bridges. This, of course, is not entirely a realistic figure because only 14 of the 67 counties have road-mileage, while the majority of counties have bridges to take care of.

So, what is the answer? Based on studies made of audits made of county liquid fuel funds, I am firmly convinced that the state should eventually take over all county-owned roads and bridges and abolish in its entirety the provisions of the Act of the 1931 Session. House Bill 2459 is a step in this direction, but to make it more acceptable, I again say there should be a companion bill reducing by at least one-half the amount of liquid fuels tax money now allocated to the counties.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, there have been some things on my mind the last week or so, and I think this would be a pretty good time to give forth with my feelings about matters as I have observed them.

I want to characterize this as a Session of "squeeze plays." I suppose it has been inspired by the L & M cigarette ad which says "You can't have one without the other."

One would ask: How do you become an old pro in politics? Apparently you become an old pro through squeeze plays. Let me give you some samples of some squeeze plays that have been going on around this General Assembly in the last few months.

The first one is right on our calendar today on second reading, the question of House Bill No. 2459. That is a squeeze play to out-squeeze all squeeze plays. It started

out first with this House sending over to the Senate two bills, one taking over roads in Allegheny County, the other taking over roads in Philadelphia County.

Do you know that the Chairman of the House Highways Committee did not call a meeting for one month? Why? Because he would not move the local omnibus bill, roads for small cities, boroughs and townships, until the Senate agreed to move the bills for the two big cities. That, of course, was a squeeze play patently written on its face, and it was practically admitted here that the Chairman of the Philadelphia delegation went over to the Senate with the Chairman of our Committee to see Senator Berger to talk about those bills! the Chairman of the Philadelphia delegation not even being a member of the Highways Committee. That was the first squeeze play.

Now it has evolved that we have on the calendar House Bill No. 2459, which has included the Pittsburgh and Philadelphia roads in the road bill for the small cities, boroughs and townships. That, of course, as I say, is a squeeze play to out-squeeze them all. It is here in front of you on our calendar and, of course, will have special treatment tomorrow and the next day.

Here is an example of another squeeze. We passed House Bill No. 1108 here in this House, sent it to the Senate with \$55 million in it. I grant you we did not pass a companion tax program. We sent it over to the Senate. What happened to the bill? The Governor said, "I will veto House Bill 1108 unless you, the Republican State Senate, pass the personal property tax bill."

The Senate does not want to pass that personal property tax bill. Why? Because it gives Philadelphia, I believe it is, a 100 per cent exemption, and Allegheny County 80 per cent exemption in the bill! Also the Senate does not want to pass the personal property tax bill because it is a tax on the thrifty little guy, on the hard-up pensioner, on the retired school teacher, on the small investor, and it is, as I say, a handout to the Dave Lawrence machine in Pittsburgh and the Bill Green machine in Philadelphia County.

There is one thing that the bill does. It taxes security values regardless of whether they pay any interest or not, not, and it could be as much as 25 per cent tax on the income on these small people, by and large, who hold these securities.

Now you say it is a tax on the big fellow. The big fellow in Pennsylvania has his securities in tax-exempt securities, in governments, in securities which are exempt from the Pennsylvania Personal Property Tax because these large corporations already pay Pennsylvania Capital Stock Tax. We lose sight of that. The fact is that this Personal Property Tax would be a tax on the thrifty little guy. Let me tell you, that is a squeeze play.

No school aid, unless you pass the Personal Property Tax. That is the second squeeze I am talking about that is going on around this General Assembly. As I say, if you want to become an old pro, get adept in the art of the squeeze.

Now, what is the third thing that has hit us right between the eyes? The schools of the big cities said, "we need aid." We know that they needed aid. But they said, "If we do not get it legislatively we will get it administratively." So, what happened? During the Session the Tax Equalization Report came out and lo, and behold, in the great city of Philadelphia, with that wonderful govern-

ment down there that is doing such great things, the valuations dropped from \$7 billion to about \$6.5 billion, or a drop in the value of property in the city of Philadelphia of \$500 million, so that the city of Philadelphia would get \$4.8 million more money in school aid.

Likewise—I am sorry I do not have the figure here—there was a drop in the value of real estate in the great city of Pittsburgh where that wonderful city government is doing such phenomenal things; yet their valuation dropped so that they will get \$600,000 more school aid.

Where is the squeeze in that? More money for the big cities, and as I pointed out several months ago, less money for the rural counties. That is another squeeze play that I want to point out to you.

We are about to swear in a new Member. I just have one more incident to bring out, then we will swear in the new Member, and then anybody can answer this argument who cares to do so.

The other squeeze I am talking about was on the gas tax. I know that none of my Members would publicly get up and say they were told, "You vote for the gas tax or you do not get roads." Be that as it may, a few Members on this side voted for the penny gas tax. I will not mention any names, but one of them said, well, boy, I have made deals all over the place because of that vote. That too was a squeeze play of all squeeze plays, to get through a penny gas tax. I feel sorry for those of us who did not vote for that penny gas tax, even though I pointed out at this microphone that there is plenty of money in the Motor License Fund today to do just about all the work the Highway Department could possibly do.

In conclusion, let the squeezes go on, but let me tell you we have our eyes open. We know what is going on, and I am just pointing it out so that the people in Pennsylvania will know what is transpiring in the halls of this great House of Representatives. Tomorrow we will debate the squeeze play that is on the calendar and then we will abide by the results.

MEMBER WELCOMED

The SPEAKER. The Chair presents to the House as Speaker during the swearing in of the gentleman from Allegheny, Mr. Haudenshield, the gentleman from Armstrong.

The Chair is glad to welcome him back to the Hall of the House and is sure the Members of the House will also be glad to welcome him back. Ladies and gentleman of the House, the gentleman from Armstrong, the former Speaker, Mr. Helm.

Mr. HELM IN THE CHAIR.

The SPEAKER pro tempore. Mr. Speaker, Members of the House, before proceeding with our regular agenda, I think I must first say thank you for the very cordial welcome.

It has been a rather hectic six or seven weeks for me, and I could not even attempt to tell you how much I appreciated the cards, flowers and all the other remembrances that I received from not only the Members of this House, but the staff of this House, my friends along the side aisles and many, many others.

The only thing I can think that gives me greater pleasure than having received those tributes is returning here today, and being among the people that I have been asso-

ciated with for so many years and learned to appreciate and love.

I am happy to be back with you and thanks for the welcome.

Mr. McCANN. Mr. Speaker, I request permission of the House, following the swearing in ceremonies of Dr. Haudenshield to reply to the gentleman from McKean, Mr. Johnson.

The SPEAKER pro tempore. The gentleman will be recognized.

PRESENTATION OF ELECTION RETURNS

The SPEAKER pro tempore. The Chair recognizes the Deputy Secretary of the Commonwealth, the Honorable Albert E. Eberman.

The DEPUTY SECRETARY. (ALBERT E. EBERMAN). Mr. Speaker, I have the honor to present the returns of the special election of a Member to the House of Representatives from the 15 District of Allegheny County.

The SPEAKER pro tempore. The Chair thanks the Deputy Secretary of the Commonwealth.

Returns of the special election held Tuesday, November 3, 1959, to fill the vacancy in this House for Representative for the County of Allegheny, 15th District, will now be opened and read.

NOVEMBER SPECIAL ELECTION OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania
County of Allegheny

ss: Pittsburgh, Pa., November 30, 1958

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the November Election held on Tuesday, November 3, 1959, for each and every candidate in the County of Allegheny as the same remain on file in this office, for the office of Representative in the General Assembly—15th District.

DEMOCRATIC

Frank C. Rayburn had Forty Three Thousand Seven Hundred Forty Six votes—43,746.

REPUBLICAN

George K. Haudenshield had Fifty Two Thousand Seven Hundred Fifty Two votes—52,752.

Scattered had Four votes—4.

In Testimony Whereof, We have hereunto set our hands and seal of office, this 30th day of November, 1959.

County Board of Elections
Jno J. Kane

Howard B. Stewart

Attest:

Murray W. Snyder, Clerk.

Seal of the County Board
of Elections of Allegheny
County.

To the Name and by Authority of the
Commonwealth of Pennsylvania

To His Excellency the Speaker and the Members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, greetings:

I have the honor to present the return of the Special Election of Member of the House of Representatives of the Commonwealth of Pennsylvania in the Fifteenth Representative District of Allegheny County, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Allegheny County Board of Elections: GEORGE K. HAUDENSHIELD, Allegheny County, Pennsylvania.

Seal of the Secretary
of the Commonwealth.

IN TESTIMONY WHEREOF,
I have hereunto set my hand,
at the City of Harrisburg this
first day of December in the
year of our Lord one thousand
nine hundred and fifty-nine
and of the Commonwealth the
one hundred and eighty-fourth.

John S. Rice

Secretary of the Commonwealth

The SPEAKER pro tempore. The election returns will be spread in full on the Journal of the House.

The Chair appoints as a committee to escort the Member-elect, George K. Haudenshield, to the Bar of the House for the purpose of having administered to him the oath of office, Messrs. Ewing and Thompson.

The Committee will proceed in the performance of its duty.

OATH OF OFFICE ADMINISTERED TO MEMBER-ELECT

The SPEAKER pro tempore. The oath of office required by Article VII of the Constitution of Pennsylvania to be taken by Members-elect to the House of Representatives will now be administered by the Honorable William H. Neely, a judge learned in the law, of the Court of Common Pleas of the County of Dauphin.

The oath of office was administered to George K. Haudenshield.

The SPEAKER pro tempore. The Chair recognizes the Chief Clerk of the House who will now read and present to the Honorable George K. Haudenshield his certificate of election.

CERTIFICATE OF ELECTION

The certificate of election was read by the Chief Clerk.

In the Name and by Authority of the
Commonwealth of Pennsylvania

I, JOHN S. RICE, Secretary of the Commonwealth, do hereby certify that at the Election held on the third day of November, 1959, GEORGE K. HAUDENSHIELD

Having received fifty-two thousand seven hundred and fifty-two votes was duly elected to the office of Representative in the General Assembly in the Fifteenth Legislative District of Allegheny County.

Witness my hand and the seal of my
office this first day of December, 1959.

JOHN S. RICE

Secretary of the Commonwealth

The SPEAKER pro tempore. The Committee will escort the gentleman from Allegheny, Mr. Haudenshield, to his seat, after which the Committee is discharged with the thanks of the House.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Haudenshield please take the nearest available microphone and introduce to this House the Members of his family.

Mr. HAUDENSHIELD. Mr. Speaker, ladies and gentlemen, over to my right I would like to introduce my wife, Janet Haudenshield; my daughters, Lynn and Leslie, and Janet's mother, Mrs. Chreiman.

Thank you very much.

The SPEAKER pro tempore. The Chair welcomes the gentleman into the Membership of this House, and also welcomes his family into a great fraternity, the families of all the Members of the House.

The Chair now returns the gavel to the Speaker of the House.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. In recognizing the Minority Leader to welcome the new Member to the House, the Chair wants to say that "Doctor" Hocker of Dauphin County has presented the Chair with a bottle of "grouch" pills for the relief and treatment of cantakerous disputation and scowling. Any Member who may feel the approach of a grouch period should apply to "Doctor" Hocker for a pill.

The Chair recognizes the Minority Leader and suggests that "Doctor" Hocker stop on his way and give him a pill.

Mr. A. W. JOHNSON. Mr. Speaker, I know what you are alluding to, the remarks I just made before the swearing-in. I thought the place was too quiet, calm and serene here, and that we need a little speech of some kind to jar things up a little.

I want to say, with respect to welcoming the new Member, it is always a pleasure for a floor leader to stand at this microphone and welcome a new Member to the House of Representatives.

I particularly enjoy it because I think it is a great honor to any person to be elected to this House of Representatives. It opens up a new life for him, new friendships and a new vista as far as what is going on in the state is concerned and as far as that particular Member is concerned. Here we are, a great deliberative body, one of the finest in the nation. We take this microphone, we air our views and battle back and forth, and after the Session is over we let the people of this great state decide.

I might say to the new Member that there is a great opportunity for him here in this General Assembly. We are facing problems as we have never faced them before in this state; not only in the field of highways, as I pointed out here today, but in the field of education, growing welfare needs, and the desire on the part of the people for economical government and lower taxes. There is no end to the job that a new Member can do if he will address himself earnestly to the work of this House of Representatives.

We are very glad to have Dr. Haudenshield here. He is replacing a fine, eloquent person in the late John Haudenshield. We all loved John very much, and I am sure from what I have seen of Dr. Haudenshield we will find him an equally delightful, pleasant and able Member.

The SPEAKER. The Chair welcomes the new Member from Allegheny County. Every time we go into our office we are reminded of his uncle, who was our friend for many, many years.

In the Speaker's office, as a permanent possession of the Speaker's office, there is a very, very beautiful state flag which was the personal gift of the late Member from Allegheny, Mr. Haudenshield.

We would say to his nephew that if he through the years lives up to the reputation and the services of his uncle, he can be very, very well proud of his achievements.

You know the Chair several days ago suggested that it might be a good thing to have a Committee of the Whole in which Members spoke their minds about various things. Apparently that suggestion took root informally, although it was never acted upon formally.

Mr. McCANN. Mr. Speaker, I would like to take a moment to welcome the new Member from Allegheny County, Dr. Haudenshield.

I understand he is a professional man, a dentist. As a Member of this House, if the pattern follows as it has in the past, he will not have time to fix so many teeth as he will devote to listening to a lot of debate here in the halls of this House. I hope and I am confident that we shall enjoy his views, his thoughts, and that we shall welcome with open arms those new ideas from the Legislative District he represents.

We are confident a growing, fine friendship will exist and be kindled by his election as a Member of this House.

Mr. Speaker, a while ago the Minority Leader of the House started out by talking about squeeze plays. The gentleman comes from McKean County and I come from Greene County. I think we would have to agree that we each come from a rural county. There are 210 of us in the House, who represent all of Pennsylvania, and you know, all of us in the rural counties can team up and kick Philadelphia and Pittsburgh around, which we have done for years, both Democrats and Republicans, regardless of what was fair.

This is odd coming from a rural Member because what have we had as rural Members in education? We had incentive for union, incentive payments for jointure, payments for closed schools, payments for transportation, additional payments for additional courses, payments for construction of buildings, and until 1955 we did not permit amortization. So you and I can say we took care of rural Pennsylvania's education pretty well.

As far as Philadelphia and Pittsburg were concerned, we kind of let them wander around as children who had to find their own way. If it is fair for us, it is fair for them.

You talk about payment of personal property tax. I come from Greene County and I pay four mills on the personal property I own, and stocks and bonds. You do the same in McKean County. But if I lived in Pittsburgh, would I be paying only four mills on my bonds and stocks, or would I be paying a little more for education? Four mills more; that is right. So you see it is not right to say that Pittsburgh would not pay any more, but it is right to say that they already pay more than we do in that field.

Should we say the same if I were a Philadelphian? The answer would be: You and I pay four mills, but in Philadelphia, do they not pay eight mills now? And where is the additional four mills on stocks and bonds? If I owned 100 shares of any given stock and my friend in Philadelphia owned a like 100 shares, would our tax be the same? The answer would be, no, for they pay four more mills than I do for education. So you see it is just a matter of how you look at the squeeze play. The squeeze play is not that Pittsburgh would not pay as much as I, or

Philadelphia would not pay as much as I, but it is also right to say that they pay more now than either you or I.

Now then, talk about squeeze plays! The biggest squeeze play of 1959 has been the squeeze play of this Session. When will it end? And when will the Senate act on these measures? Perhaps you know the answer. Perhaps that squeeze play answer is here today. I do not know for I have not been informed.

But if you want a good squeeze play, you talk about the highway one. That is the best. That is the one we like. We say that one cent gasoline tax is needed and we voted for it. The Senate says to you and me, we can not give you the one cent gasoline tax but will help provide votes for you for a \$5 automobile license increase.

Let us see how this works. If you have a car and you run it on an average of say 15,000 to 18,000 miles a year,—that would be a pretty good average, I think—you would start to figure out that at about 15 miles to a gallon one cent more of gasoline tax you would come up for an average person, with about \$5 or \$6. Any way you figure it, it would work out pretty even. Now then, they do not want me to pay the additional \$5 or \$6 in gasoline tax, but it is all right to pay it in the license fee; that is quite all right. The average is about the same, except to say to you that all those wonderful tourists, and all of that trucking industry, and all of those other people would not pay one cent on anything only we who have the cars and are Pennsylvania residents. So there is a little squeeze play here that is more than meets the eye.

You talk about a squeeze play that is a doozy. Would you say the Secretary of Highways has not made a clear-cut case as to his need for money? There is a difference of opinion as to the amount of money needed. Our debate a few months ago clearly indicated the position of various Members of this House who opposed the one cent gasoline tax increase. But on this we can agree: If you provided the \$5 license fee, which is about the average of the one cent gasoline tax, did you intend to also provide 20 percent more for all our municipalities for reimbursement to take care of their streets and township roads? Well, I think each of the municipalities is for this. The majority of the people you talk to when you do a little talking with your own constituents do not have such great objection to the one cent gasoline tax increase. How much objection did they show when the Federal Government recently increased the gasoline tax in this field? Very little, if any. I think you will find most of the people of Pennsylvania want the roads built. You and I want the bridges built in our respective areas, and want the rural roads taken care of. So in my opinion the biggest squeeze play is the squeeze play that is going on about the type of taxation and the difference that exists between the two parties. I will admit there are times when our differences are very small.

You stated that a squeeze play was on regarding the State Tax Equalization Board. I ask you what type of a squeeze play this would be, for, number one, did they do anything illegal, or did they just do a job that was supposed to be done? Did they in any way change anything in my own district, or yours, illegally, or did they do it properly?

I recently sat in a General State Authority meeting. We were buying ground for a new state hospital in one of our northern tier counties. I think you will find this on the minutes of the General State Authority meeting. The

State Tax Equalization Board report showed the estimated land value, or what it was believed to be worth in this area, when we bought the land. If that is a normal sale, then the State Tax Equalization Board report for that county is surely mighty low.

So you see there are always two sides to a squeeze play. I think you will agree that the best squeeze play is the one where we do what is right for all the people of Pennsylvania, not to pit the city against the rural area.

There was a time when Philadelphia and Pittsburgh were your strongest Republican machines in Pennsylvania. Even in those days, you as Republicans pitted against them. Today our strongest Democratic machines are in the city of Philadelphia and the city of Pittsburgh, and it makes no difference whether the machine is Democrat or Republican. What counts is that we would get the same rightful consideration for our problems as we should be giving them, not whether I come from Greene County or you from McKean, not whether I am a rural Member or an urban Member, but that we look at their problems and treat them in the same way as the other problems we have.

Mr. Speaker, I am sure there is not much difference in the matter of opinion as to the squeeze plays, but there have been some awfully good, big ones here in this Session in the eleven and a half months in 1959.

PERMISSION TO ADDRESS HOUSE

Mr. SHERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I am pleased to say in reply to the statement made by what I term a rural Member from a rural area, the Minority Leader, I state that in all sincerity because, I do hope that the time will come, perhaps in the next Session, that it will not be a case of rural area against suburban or city area. But it will be a case of all 210 of us fighting together, planning together, whether it is for the sake of education or for the sake of any other bill.

I cannot but briefly remark and correct the Minority Leader in some of his erroneous statements. He has, perhaps inadvertently, stated that Philadelphia in the personal property tax bill would be 100 percent exempt. That, Mr. Speaker, is an error because Philadelphia in that personal property tax bill would not be 100 percent exempt but would have an additional 2 mills tax imposed upon it.

I also ask the Minority Leader if it is not true that there has been in the course of the debate on 1108 whether he, or with his consent, the majority Members of his party voted for 1108, on the assumption, plainly stated on the floor of this House that there was a \$55 million personal property tax bill to be passed by the other esteemed body of this General Assembly, and for that reason and that reason alone was it not what caused mainly this 1108 bill to pass?

When it comes to attacking the city of Philadelphia I say to Mr. Johnson, you had better hesitate. We are trying to cooperate and we do hope to cooperate in the future. Philadelphia is a large industrial area, we have lost a great deal of tax revenue as a result of taking up certain property in our great city. We have also a tax equalization board that the Senate Members, as they had the matter before them praised the Tax Equalization Board

for a job well done, an honest job, and just because they have reaped the benefits of years passed by, and the State Tax Equalization Board has been honest in its attempt to do what is right, they should under no circumstances be criticized.

I ask for harmony between the rural and city areas, both for the remainder of this Session and the future Sessions to come.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. TOMPKINS. I had not intended to get into this act, but I cannot allow some of the statements made by the gentleman from Philadelphia go unchallenged.

I will challenge him to go back to the debate on 1108 and have him show me anywhere, any such statement that was made to the effect of our voting over on this side or in this House in connection with the \$55 million personal property tax that is over in the Senate. The Democrats may have had that in the back of their minds but we certainly never had it in the back of our minds over on this side.

I think you will find that I made a statement from this floor that there was at least \$28 million provided for, in the four percent sales tax which we voted for over here, some of us, which has vanished into thin air. And you will find nothing in the record where the Republicans said anything about putting this over to the Senate for the \$55 million personal property tax.

In connection with the additional 2 mills from Philadelphia, that is the only amount that will come into the general fund. Even though you are paying at the present time 8 mills in Philadelphia, that all goes for the benefit of Philadelphia and no part of it comes into the general fund of the Commonwealth for distribution in the entire state. That applies in the same way to the personal property tax in Allegheny County, they take it all for themselves, no part of it would come into the general fund for the purpose of distribution equally among all of the people of the Commonwealth of Pennsylvania. Let us get ourselves down to some facts, real figures before we start throwing a lot of things around.

PERMISSION TO ADDRESS HOUSE

Mr. POLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman from Cameron, Mr. Tompkins has on several occasions brought up the question of the \$28 million that has vanished. I felt for some time that we should clarify that and I am going to attempt to do it at this time.

The joint committee that considered both taxes and appropriations, in fact I believe in July, did consider \$28 million of additional money for the schools and \$4 million for the hospitals. In this package that we considered, I want to say that while the gentlemen on the other side may have understood when they voted for the four percent sales tax, that there was \$28 million in it for the schools, I do not know where they got that understanding. But I do want to say, in our consideration of appropriations and taxes, there was \$28 million for the schools.

What happened to it? Well, here is what happened to it. We were using on House Bill 660, the gross receipts

tax on gas companies \$11 million. That bill in the Senate was changed so that the effective date was January 1, 1960, and therefore reduced the yield \$5 and one-half million. The joint committee also used the figure of \$4 million which we considered would be increased revenue from out of state corporations under the decision of the Supreme Court. When the final analysis was made it was found that that \$4 million was non-existent, it would not come into the fund.

All of our calculations in that joint conference committee were based upon an effective date for the sales tax of August 1, 1959. We did not meet that deadline and the result was that the increased revenue on account of its not going into effect on August 1st was \$4.5 million. That is a total of \$14 million.

It is true that while we both arrived at practically the same figures in our calculations, the Republican Members based their totals on the fact that there would be a \$55 million cut, based upon the Senate figures. Actually, that \$55 million cut went down to \$43 million, which gave \$12 million less than I believe the Republican Members had figured on. If you add that up that is \$26 million.

Another thing is that we were considering non-budgeted bills. It is my recollection that we were only considering approximately \$3 million of non-budgeted bills. Actually, we passed \$10 million plus in non-budgeted bills. In those figures you will find what happened to the \$28 million and the \$4 million that we had used. We on this side were in a little more favorable position because as I stated while the Republican Members based their calculations on the \$55 million cut, we based our calculations on the \$55 million that was in the personal property tax. So, we still had money available under our figures which could be used for education, while due to the factors that I have mentioned there would not be that available on the other side.

I do not believe that the gentleman from Cameron, Mr. Tompkins, was really serious when he said on the 11th of November, that by devious means, these funds vanished. It is a clear open record what happened to

the amount of money that both sides had considered. I have enumerated them, item by item, and it deals in a large measure with something over which neither our side nor the other side, the Republican side, had any control. So, I think it is unfair to leave the impression that somehow or other we did away with the \$28 million.

I might say that many, many months ago, I suggested to this House, when I made my first budget report, that I thought at a minimum, we should increase the maximum subsidy base to \$6,200 and it would take approximately \$28 million. In all of our calculations, when we reported House Bill 1108, we did use the \$55 million tax bill that we sent to the Senate. I believe it is equally true that they do not intend to pass that bill, but I think it was unfair to leave the public under the impression that in any way we changed signals or did anything that eliminated the \$28 million.

I think if the gentleman will review the matter, and I believe I did review it with him on a previous occasion, he will find that the figures that I gave him are correct, it was due to changes made by the Senate, also it was the item of the incorrect amount of tax revenues that was issued for dry cleaning and so forth. But when all of those factors are taken into consideration, it is very evident what happened to the \$28 million.

Mr. TOMPKINS. Mr. Speaker, this could be a never ending subject of debate. I do not propose to enter into it any further.

The only thing I have to say is this, that when we voted for a four percent sales tax we understood that in that would be included sufficient revenues to provide at least \$28 million additional for schools.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjour until Tuesday December 8, 1959 at 1:00 p.m. Eastern Standard Time.

The motion was agreed to, and (at 4:55 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, DECEMBER 8, 1959.

No. 120.

SENATE

TUESDAY, DECEMBER 8, 1959.

The Senate met at 1:00 o'clock p. m.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. ROBERT A. MacASKILL, Pastor of Presbyterian Church, Gettysburg, offered the following prayer:

Let us pray.

Eternal and ever living God, Thou Who are great and greatly to be praised, Thou Who are the Sovereign Ruler of men and nations, we would acknowledge in this Advent Season that there is joy to the world. The Lord has come; let earth receive her King. His Name shall be called Wonderful, Counselor, the Mighty God, the Everlasting Father, the Prince of Peace.

Of the increase of His government and peace, there shall be no end. May the councils of our government build upon this foundation that has been laid. To that end, bless our Nation and especially our President, in traveling abroad as our representatives, that he may be truly Thine ambassador of peace on earth, good will toward men.

Bless our Commonwealth, the Governor and our Legislators, that they may be used by Thee to accomplish Thy will and fulfill Thy purpose in establishing truth, justice and equity among the people. Keep them faithful in their labors, that we may receive the blessing that Thou hast promised to that people whose God is the Lord.

Receive now our prayers, supplications, thanksgiving and praise. This we ask in Jesus' Name and for His sake we pray, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

BILL SIGNED

The President. (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bill: **SB 1227**.

REPORTS FROM COMMITTEES

Mr. MULLIN, from the Committee on Judiciary General, rereported, as amended, **HB 1639**.

Mr. RUTH from the Committee on Rules, reported, as committed, **HB 2317, 2327, 2413, 2440 and 2441**.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FEASIBILITY OF THE ESTABLISHMENT OF A STATE TEACHERS' COLLEGE IN THE WEST PHILADELPHIA AREA

Mr. McCRESSH offered the following resolution (**Serial No. 87**), which was read and referred to the Committee on Rules:

In the Senate, December 8, 1959.

The rising expense of tuition and other costs at institutions of higher learning within the Philadelphia area has created a situation where more and more deserving and qualified young men and women within the city of Philadelphia are unable to seek adequate educational opportunities. While State Teachers' Colleges are located throughout the Commonwealth in defined geographical districts, Philadelphia alone has no such State institution within its confines, despite the magnitude of its population.

The need for a State College within the Philadelphia area has, therefore, become increasingly more desirable and necessary.

At the same time, a State College planned as part of the new physical rebirth of West Philadelphia and in conjunction with the future development of "University City" would be in complete accord with the re-awaking of that area as a center of higher learning, therefore be it

Resolved, That the Joint State Government Commission be directed to investigate and study whether a new State Teachers' College in the West Philadelphia area would be feasible and practical, and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations.

SENATE CONCURRENT RESOLUTION

RECALLING **SB 1043** FROM THE GOVERNOR

Mr. SILVERT offered the following resolution which was read, considered and adopted:

In the Senate, December 8, 1959.

Resolved (if the House of Representatives concur), That Senate Bill No. 1043, Printer's No. 1610, entitled "An act amending the act of May 1, 1907 (P. L. 135), entitled 'An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters

and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when the parties to such proceedings and repealing an act entitled "An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May fifteenth one thousand eight hundred and seventy-four repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May eighth one thousand eight hundred and seventy-six and repealing "An act defining the duty of court stenographers in the several counties in this State" approved June tenth one thousand eight hundred and eighty-one" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" further providing for the giving of copies of notes of testimony in criminal cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO **SB 785**

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments nonconcurred in by the Senate to **SB 785**.

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO **SB 785**

Mr. BERGER. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to **SB 785**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.
The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON **SB 785**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WAGNER, FLEMING and SEYLER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **SB 785**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION, **SERIAL No. 86**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to Senate Resolution, **Serial No. 86**: the gentleman from Somerset, Mr. Whalley; the

gentleman from Allegheny, Mr. Koprivier, Jr.; and the gentleman from Washington, Mr. Lane.

COMMITTEE OF CONFERENCE APPOINTED ON **SB 24**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WATKINS, WADE and HAYS, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **SB 24**.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 2443** and **2457**.

CALENDAR

REPORTS OF COMMITTEES OF CONFERENCE

SB 810—Mr. PECHAN. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **SB 810**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624) entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Harney, | McMenamin, | Stevenson, |
| Berger, | Hays, | Miller, | Stiefel, |
| Blass, | Kalman, | Murray, | Taylor, |
| Camiel, | Keller, | Pechan, | Van Sant, |
| Chapman, | Kessler, | Probert, | Wade, |
| Confair, | Koprivier, Jr., | Ripp, | Wagner, |
| DiSilvestro, | Kromer, | Rooney, | Walker, |
| Donolow, | Lane, | Ruth, | Watkins, |
| Ehrgood, | Madigan, | Sarraf, | Weiner, |
| Elliot, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silver, | |

NAYS—3

| | | |
|---------|---------|---------|
| Mahady, | Mullin, | Seyler, |
|---------|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1881—Mr. PECHAN. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1881**, entitled:

An Act amending the "Consumer Discount Company Act" approved April 8, 1937 (P. L. 262) further regulating the granting of licenses and providing for appeals.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT. The Chair takes this moment to turn the gavel over to the very capable hands of the gentleman from Schuylkill, Mr. Wagner.

The PRESIDING OFFICER (Paul L. Wagner) in the Chair.

THIRD READING CALENDAR

BILLS ON THIRD READING, RECALLED FROM THE GOVERNOR

SB 297—Without objection, the bill was passed over in its order at the request of Mr. SILVERT.

SB 1106—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. EHRGOOD and SEYLER, by unanimous consent, offered the following amendment:

Amend Bill, page 3, by inserting after line 7: "Section 2 The provisions of this amendment shall not apply to applications for licenses for the retail sale of liquor or the retail sale of malt or brewed beverages filed and pending prior to the effective date of this amendment "Section 3 This act shall take effect February 2, 1960".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. EHRGOOD.

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILLS ON THIRD READING

HB 66—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Mullin, | Stevenson, |
| Berger, | Kalman, | Murray, | Stiefel, |
| Blass, | Keller, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Probert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |

| | | | |
|--------------|------------|----------|----------|
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarra, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | |
| Fleming, | McMenamin, | Silvert, | |
| Harney, | Miller, | | |

NAYS—1

Kessler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 413—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 506—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT, by unanimous consent, offered the following amendments:

Amend Title, page 2, last line of Title, by inserting after "engines": "for a certain period of time"; Amend Sec. 1 (Sec. 4), page 3, line 16, by inserting after "and" where it appears the first time: "except as hereinafter provided"; Amend Sec. 1 (Sec. 4), page 3, line 16, by striking out the bracket before "one" and after "cents"; Amend Sec. 1 (Sec. 4), page 3, line 17, by striking out "one cent"; Amend Sec. 1 (Sec. 4), page 3, line 20, by inserting after "engines": "For the period beginning January 1, 1960 and ending May 31, 1961 a State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine propeller, jet, turbo-jet or jet driven aircraft and aircraft engines"; Amend Sec. 2, page 4, line 10, by striking out "immediately" and inserting: "January 1, 1960."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. VAN SANT.

HB 634—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MULLIN. Mr. President, House Bill No. 634 would compel the erection and maintenance of medial barriers or guards along the entire length of the Turnpike. I think this is not only unnecessary, but I think that it is expensive and would be a great burden upon the Commonwealth hand on the Turnpike Commission to undertake such a large task.

Therefore, Mr. President, I certainly do not think this bill should be passed.

Mr. PECHAN. Mr. President, what is the status of the bill as of this moment?

The PRESIDING OFFICER. The bill is ready for final passage and awaiting the roll call.

Mr. PECHAN. Mr. President, I request that House Bill

No. 634, Printer's No. 1684, go over in its order on Final Passage.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order on Final Passage.

HB 652—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Section 1 of the bill, page 2, line 13, by striking out the words "in case of"; page 2, by striking out lines 14 and 15; page 3 by striking out lines 1 through 5.

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I offered these amendments because they were given to me by the Insurance Department. The purpose of the amendments is that the Insurance Department does not feel that an insurance company should be allowed to add a supplementation to its name for the purpose of identification, as this would likely confuse the general public. It is for this reason that I have offered these amendments.

Mr. BERGER. Mr. President, I anticipated objecting to these amendments. However, I believe that I would like to read them because I could not get an explanation from anybody as to what they do.

Therefore, I will not object to them and allow them to be printed and then we can read them into the bill.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

HB 900— Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Oamiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Walker, |
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarraf, | Whalley, |
| Elliott, | Mallery, | Scott, | Wolfe, |
| Flack, | McCreesh, | Seyler, | |
| Fleming, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | Silvert, | Wagner, |
| | | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1121—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1), page 2, line 18, by inserting after "parent": "person standing in loco parentis."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WALKER.

HB 1122—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 15, by inserting after "parent": "person standing in loco parentis or legal guardian."

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I have no objection to the amendments, but I hope that if there is anybody else who has an amendment and has not gotten it into either one of these two bills, they speak now or forever hold their peace. I do not think there is anything left to House Bill No. 1121 and House Bill No. 1122 the way they stand now. I think they have been completely negated and all that is left is an empty shell.

I would respectfully suggest that it is just a sham to even enact these bills and spend the Commonwealth's money to have them reprinted, new printer's numbers assigned, have them appear on the Calendar and go through all this again. If anyone else wants to amend them, I think they should do so because I would hate to think of them missing the boat on these bills.

The PRESIDING OFFICER. I believe Senator Walker has now taken care of grandparents, and I do not think anybody is inclined to go farther back than that.

Mr. WEINER. Mr. President, it might be that there is a cousin, once removed, who has not been taken care of. I would hate to think of him being left out of this measure.

The PRESIDING OFFICER. The Chair would advise the Senator against reminding his colleagues about that possibility.

And the question recurring,

Will the Senate agree to the amendment?

The amendment was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WALKER.

SB 1189—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

SB 1204—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Harney, | Miller, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Propert, | Wade, |
| Confair, | Koprivier, Jr., | Ripp, | Walker, |
| Chapman, | Kromer, | Rooney, | Watkins, |
| DiSilvestro, | Lane, | Ruth, | Weiner, |
| Donolow, | Madigan, | Sarraf, | Whalley, |
| Ehrgood, | Mallery, | Scott, | Wolfe, |
| Elliott, | McCreesh, | Shafer, | |
| Flack, | McGinnis, | Silver, | |
| Fleming, | McMenamin, | Stevenson, | Wagner, |
| | | | Presiding Officer |

NAYS—4

| | | | |
|-------|---------|---------|---------|
| Hays, | Mahady, | Mullin, | Seyler, |
|-------|---------|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1215—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Hays, | Miller, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Propert, | Wade, |
| Chapman, | Koprivier, Jr., | Ripp, | Walker, |
| Confair, | Kromer, | Rooney, | Watkins, |
| DiSilvestro, | Lane, | Ruth, | Weiner, |
| Donolow, | Madigan, | Sarraf, | Whalley, |
| Ehrgood, | Mahady, | Scott, | Wolfe, |
| Elliott, | Mallery, | Seyler, | |
| Flack, | McCreesh, | Shafer, | |
| Fleming, | McGinnis, | Silver, | |
| Harney, | McMenamin, | Stevenson, | Wagner, |
| | | | Presiding Officer |

NAYS—1

Mullin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1242—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 1262—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Walker, |
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarraf, | Whalley, |
| Elliott, | Mallery, | Scott, | Wolfe, |
| Flack, | McCreesh, | Seyler, | |
| Fleming, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | Silver, | Wagner, |
| | | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1264—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Walker, |
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarraf, | Whalley, |
| Elliott, | Mallery, | Scott, | Wolfe, |
| Flack, | McCreesh, | Seyler, | |
| Fleming, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | Silver, | Wagner, |
| | | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 1265—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Walker, |
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarraf, | Whalley, |
| Elliott, | Mallery, | Scott, | Wolfe, |
| Flack, | McCreesh, | Seyler, | |
| Fleming, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | Silver, | Wagner, |
| | | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1344—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PECHAN, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 1), page 5, lines 3 and 4 by striking out "indicates" and inserting: "may indicate." Amend Sec. 1 (Sec. 1), page 5, line 4 by inserting after "either": "has or." Amend Sec. 1 (Sec. 1), page 5, lines 4 and 5 by striking out "or does have." Amend Sec. 1 (Sec. 1), page 5, line 12, by inserting quotation marks after "instru-

ment." Amend Sec. 1 (Sec. 1), page 5, lines 13 and 15 by striking out the quotation marks before "(B)" in line 13 and after "coal" in line 15. Amend Bill, page 5, by inserting after line 15: "Section 2. This act shall take effect April 1, 1960."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. PECHAN.

HB 1355—Read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I must take the floor and state my position.

I think this is rather a silly piece of legislation because it is taking away from the judiciary a prerogative which it should have. Therefore, I feel that if we do not have any confidence in our judiciary, then we should pass this legislation. However, I do believe that it should have latitude in making a decision.

Therefore, I most emphatically oppose the passage of this legislation, because I do not believe it is good for the people nor for justice.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|----------------|----------|------------------------------|
| Barr, | Harney, | Miller, | Stevenson, |
| Berger, | Hays, | Murray, | Stiefel, |
| Blass, | Kalman, | Pechan, | Taylor, |
| Camel, | Keller, | Propert, | Van Sant, |
| Chapman, | Kessler, | Ripp, | Wade, |
| Confair, | Koprivier, Jr. | Rooney, | Walker, |
| DiSilvestro, | Kromer, | Ruth, | Watkins, |
| Donolow, | Madigan, | Sarraff, | Whalley, |
| Ehrgood, | Mallery, | Scott, | Wolfe, |
| Elliott, | McCreesh, | Seyler, | |
| Flack, | McGinnis, | Shafer, | |
| Fleming, | McMenamin, | Silvert, | |
| | | | Wagner, Presiding Officer |

NAYS—4

| | | | |
|-------|---------|---------|---------|
| Lane, | Mahady, | Mullin, | Weiner, |
|-------|---------|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1474—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1830—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|----------|----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |

| | | | |
|--------------|------------|----------|----------|
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarraff, | Whalley, |
| Elliott, | Mallery, | Scott, | Wolfe, |
| Flack, | McCreesh, | Seyler, | |
| Fleming, | McGinnis, | Shafer, | |
| Harney, | McMenamin, | | |

| |
|-------------------|
| Watkins, |
| Weiner, |
| Whalley, |
| Wolfe, |
| Wagner, |
| Presiding Officer |

NAYS—1

Walker,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1927—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VANT SANT, by unanimous consent, offered the following amendments:

Amend Title, page 2, next to last line of Title, by inserting after "tax": "for a certain period of time and." Amend Sec. 1 (Sec. 4), page 4, line 11, by inserting after "and" where it appears the first time: "except as hereinafter provided." Amend Sec. 1 (Sec. 4), page 4, line 11, by striking out the brackets before and after "and one-half cents." Amend Sec. 1 (Sec. 4), page 4, line 12, by striking out "cent." Amend Sec. 1 (Sec. 4), page 4, line 14, by inserting after "forth": "For the period beginning January 1, 1960 and ending May 31, 1961 a State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine propeller, jet, turbo-jet, or jet driven aircraft and aircraft engines." Amend Sec. 2, page 5, line 15, by striking out "immediately" and inserting: "January 1, 1960."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. VAN SANT.

HB 1971—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1977—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, last week, when this very bill was on Second Reading, I offered amendments to it and I believe that Senator Pechan, who was then the Acting Majority Floor Leader, after we had discussed this, said that he would discuss the matter with his Caucus and see if the bill could be reinstated to its original form. It was practically cut to ribbons and I think the bill even changed some of the pending laws which we have and some of the laws which we have enacted in past Sessions.

At that instant, Mr. President, I asked that the amendments be laid on the table. I am now about to call those amendments from the table and ask that they be adopted by the Senate.

I am well aware of the fact that the bill is on the Third Reading Calendar and that any one person could object. However, I think that we had an agreement that when the bill was on Third Reading, I could call the amendments from the table at that time.

My amendments are quite lengthy, but they merely reinstate the bill to the original form in which it came from the House. I think this bill has been approved by the League of Women Voters and by both political parties in their platforms. I am merely trying to put the bill back into its original form.

The PRESIDING OFFICER. Senator Weiner, are you making a motion that the vote by which House Bill No. 1977 passed Third Reading be reconsidered?

Mr. WEINER. No, Mr. President. I am asking for unanimous consent for my amendments to House Bill No. 1977, Printer's No. 2000, to now be considered by the Senate.

The PRESIDING OFFICER. They cannot be considered on Final Passage. You should move the bill back to Third Reading.

Mr. WEINER. The bill is now on Third Reading.

The PRESIDING OFFICER. The bill just passed Third Reading and we are about to call the roll.

And the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF HB 1977

Mr. WEINER. Mr. President, I now move that the Senate do reconsider the vote by which **HB 1977** just passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

AMENDMENTS TAKEN FROM THE TABLE

Mr. WEINER. Mr. President, I call from the table the amendments which I offered previously to this bill.

The PRESIDING OFFICER. There being no objection, the Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Amend Title, page 2, last five lines of Title, by striking out all of said lines, and inserting: "authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes; imposing additional duties upon the Secretary of the Commonwealth, various county boards of elections, and election officers, courts, various registration commissions, chairmen of political parties or committees and officers and employees, certain political subdivisions; further regulating the procedures for voting of qualified electors serving in the armed forces of the United States, including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel, including their families, in the event they are qualified electors;

further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nomination papers; and providing penalties."

Amend Sec. 1 page 3, line 1, by striking out "SECTION" and inserting: "Clauses (w) and (x) of section."

Amend Sec 1, page 3 lines 4 and 5, by striking out both of said lines, and inserting: "clause (w) reenacted and amended March 6, 1951 (P. L. 3), and clause (v) added March 6, 1951 (P. L. 3), are amended to read."

Amend Sec. 1 (Sec. 102), page 8, lines 12 to 20; page 9, lines 1 to 6, by striking out all of said lines, and inserting: "(w) [The term 'qualified elector in actual military service' shall mean a qualified elector of this Commonwealth who is or may be in the military or naval service of the United States or any branch or unit thereof and regardless of whether such person is registered or enrolled in accordance with law.

"(x) The term 'qualified bedridden or hospitalized veteran' shall mean any qualified elector of this Commonwealth who may be unavoidably absent from the State or county of his residence because of his being bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with or as a direct result of his military service.] The words 'qualified absentee elector' shall mean:

"(1) Any qualified elector who is or who may be in the military service of the United States, regardless of whether, at the time of voting, he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(2) Any qualified elector who is a spouse or dependent residing with or accompanying a person in the military service of the United States, regardless of whether, at the time of voting, such spouse or dependent is present in the election district of residence; or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered and enrolled; or

"(3) Any qualified elector who is or who may be in the service of the Merchant Marine of the United States, regardless of whether, at the time of voting, he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(4) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is in the service of the Merchant Marine of the United States, regardless of whether, at the time of voting, such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered or enrolled; or

"(5) Any qualified elector who is or who may be in a religious or welfare group officially attached to and serving with the armed forces, regardless of whether, at the time of voting, he is present in the election district of his residence or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(6) Any qualified elector who is a spouse or dependent residing with or accompanying a person in a religious or welfare group officially attached to and serving with the armed forces, regardless of whether, at the time of vot-

ing, such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered or enrolled; or

"(7) Any qualified elector who is or who may be a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia, whether or not such elector is subject to civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress, regardless of whether, at the time of voting, he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled; or

"(8) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia, whether or not such person is subject to civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress, and regardless of whether, at the time of voting, such spouse or dependent is present in the election district of residence or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered and enrolled; or

"(9) Any qualified war veteran elector who is bedridden or hospitalized, due to illness or physical disability, if he is unavoidably absent from the Commonwealth or county of his residence, and regardless of whether he is registered and enrolled; or

"(10) Any qualified registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election; or

"(11) Any qualified registered and enrolled elector who is unable to go to his polling place because of illness or physical disability.

"Provided, however, That the words "qualified absentee elector" shall in nowise be construed to include persons confined in any penal institution.

"(x) The words 'members of the Merchant Marine of the United States' mean persons (other than persons in military service) employed as officers or members of crews or vessels documented under the laws of the United States or of vessels owned by the United States or of vessels of foreign flag registry under charter to or control of the United States and persons (other than persons in military service) enrolled with the United States for employment or for training for employment or maintained by the United States for emergency relief services as officers or members of crews of any such vessels, but does not include persons so employed or enrolled for such employment or for training for employment or maintained for such emergency relief on the Great Lakes or the inland waterways."

Amend Sec. 2, page 9, line 7, by striking out "THE" and inserting:

"Section 102 of the ."

Amend Sec. 2, page 9, lines 8 and 9, by striking out both of said lines, and inserting:

"clause (x) thereof four new clauses to read."

Amend Sec. 2, page 10, lines 6 to 19; page 11, lines 1 to 20; page 12, lines 1 to 20; page 13, line 1 to 20; page 14, lines 1 to 20; page 15, lines 1 to 20; page 16, line 1 to 19; page 17, lines 1 to 19; page 18, line 1 to 20; page 19, lines 1 to 20; page 20, lines 1 to 20; page 21, lines 1 to 20, page 22, lines 1 to 19; page 23, lines 1 to 19; page 24, lines 1 to 11, by striking out all of said lines, and inserting:

"Section 102. Definitions.—The following words, when used in this act, shall have the following meanings unless otherwise clearly apparent from the context:

* * *

"(y) The word 'dependent' means any person who is in fact a dependent.

"(z) The words 'person authorized to administer oaths' shall mean any person who is a commissioned officer in military service, or any member of the Merchant Marine of the United States designated for this purpose by the United States Secretary of Commerce, or any civilian official empowered by any State or Federal law to administer oaths.

"(z.1) The words 'in military service' shall mean the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat 804. U. S. Code, Title 36, Par. 231).

"(z.2) The words "unavoidably absent" shall mean absence in good faith by reason of duties, occupation or business."

Amend Sec. 3, page 24, line 13 to 15, by striking out all of said lines, and inserting:

"Subsection (c) of section 305 of the act, reenacted and amended March 6, 1951 (P. L. 3), is amended to read:

"Section 305. Expenses of County Boards and of Primaries and Elections to Be Paid by County; Expenses of Special Elections; Board to be Provided with Offices.—

* * *

"(c) The Commonwealth shall reimburse each city of the first class and county for election expenses incurred in and incidental to preparing, handling, mailing, delivering, counting and storing official [military] absentee ballots [and veterans' official ballots] requested by any elector in military service, Federal employment overseas, Merchant Marine and in any religious group or welfare agency assisting the Armed Forces, including spouses and dependents and bedridden and hospitalized veterans as herein provided in the sum of forty cents (40¢) for each such ballot mailed or delivered.

"Each county board of elections shall file in the Department of State not later than thirty days after every election, on a form prescribed by the Department of State, a statement of the number of ballots mailed or delivered in such manner as is now or may hereafter be provided by law to electors in actual military service and to bedridden or hospitalized veterans.

"The Department of State shall ascertain and fix the amount due as herein provided, to each city of the first class and county for election expenses incurred, and by requisition in the usual course shall provide for payment of such amounts so found due from moneys appropriated to the Department of State for such purpose, or shall prorate the moneys so appropriated among the several cities of the first class and counties to be reimbursed, if the amount so appropriated shall not be sufficient for the payment in full to each city of the first class and county of the amount found to be due.

"Section 4. Section 904 of the act, amended January 14, 1952 (P. L. 1937), is amended to read:

"Section 904. Municipal Clerks and Party Chairmen to Furnish Information as to Offices to Be Filled.—To assist the respective county boards in ascertaining the offices to be filled, it shall be the duty of the clerks or secretaries of the various cities, boroughs, towns, townships and school districts [and poor districts] with the advice of their respective solicitors, on or before the [twelfth] thirteenth Tuesday preceding the Municipal primary, to send to the county boards of their respective counties a written notice setting forth all city, borough, town, township and school district [and poor district] offices to be filled in their respective subdivisions at the ensuing municipal election, and for which candidates are to be nominated at the ensuing primary. It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards, on or before the [twelfth] thirteenth Tuesday preceding the General primary, a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary, and the number of such delegates and alternate delegates who are to be elected at said primary in such county, or in any district within such county, or of which it forms a part. The said notice shall also set forth the number of members of the National committee, if any, who, under the National party rules, are to be elected at the said primary in the State at large, and the number of members of the State committee to be elected at the said primary in such county, or in any district, or part of a district within such county. It shall also be the duty of the chairman of the county committee and, in cases where a city is coextensive with a county, the chairman of the city committee of each party, on or before the [twelfth] thirteenth Tuesday preceding the General primary, to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary.

"Section 5. Section 905 of the act, amended March 6, 1951 (P. L. 3), is amended to read:

"Section 905. Secretary of the Commonwealth to Notify County Board of Certain Nominations to Be Made.—On or before the [twelfth] thirteenth Tuesday preceding each primary, the Secretary of the Commonwealth shall send to the county board of each county a written notice designating all the offices for which candidates are to be nominated therein, or in any district of which such county forms a part, or in the State at large, at the ensuing primary, and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth, including that of President of the United States, and shall also in said notice set forth the number of presidential electors, United States Senators, Representatives in Congress and State officers, including senators, representatives and judges of courts of record, to be elected at the succeeding November election by a vote of the electors of the State at large, or by a vote of the electors of the county, or of any district therein, or of any district of which such county forms a part.

"Section 6. Section 906 of the act, amended January 14, 1952 (P. L. 1937), is amended to read:

"Section 906. Publication of Notice of Officers to Be Nominated and Elected.—Beginning not earlier than [eleven] twelve weeks, nor later than [ten] eleven weeks before any [regular] General or Municipal primary, the county board of each county shall publish in newspapers, as provided by section 106 of this act, a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary, and the number of delegates and alternate delegates who are to be elected at the said primary in said county, or in any district of which said county or part thereof forms a part, and also setting forth the names of all public offices for which nominations are to be made, and the names of all party offices including that of members of the National committee, if any, and State committee, for which candidates are to be elected at said primary in said county, or in any district of which such county or part thereof forms a part, or in the State at large. Said notice shall contain the date of the primary, and shall be published once each week for two successive weeks in counties of the first and second class and once in all other counties.

"Section 7. Section 908, subsection (d) of section 913, and subsections (b) and (c) of section 953 of the act, amended March 6, 1951 (P. L. 3), are amended to read:

"Section 908. Manner of Signing Nomination Petitions; Time of Circulating.—Each signer of a nomination petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a registered and enrolled member of the party designated in such petition; Provided, however, That where there are to be elected two or more persons to the same office, each signer may sign petitions for as many candidates for such office as, and no more than, he could vote for at the succeeding election. He shall also declare therein that he is a qualified elector of the county therein named, and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large, of the political district therein named, in which the nomination is to be made or the election is to be held. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing, expressed in words or numbers: Provided, however, That if the said political district named in the petition lies wholly within any city, borough or township, or is coextensive with same, it shall not be necessary for any signer of a nomination petition to state therein the city, borough or township of his residence. No nomination petition shall be circulated prior to [twenty (20) days before the last day on which such petition may be filed] the thirteenth Tuesday before the primary, and no signature shall be counted unless it bears a date [within twenty (20) days of the last day of filing the same] affixed not earlier than the thirteenth Tuesday nor later than the tenth Tuesday prior to the primary.

"Section 913. Place and Time of Filing Nomination Petitions; Filing Fees.—

* * *

"(d) All nomination petitions shall be filed [at least sixty-four (64) days] on or before the tenth Tuesday prior to the primary.

* * *

"Section 953. Place and Time of Filing Nomination Papers.—

* * *

"(b) No nomination paper shall be circulated prior to [twenty (20) days before the last day on which such paper may be filed] the tenth Tuesday prior to the primary, and no signature shall be counted unless it bears a date [within twenty (20) days of the last day of filing the same] affixed not earlier than the tenth Tuesday prior to the primary nor later than the seventh Tuesday prior to the primary.

"(c) All nomination papers must be filed [at least forty-four (44) days prior to the date of the primary election] on or before the seventh Tuesday prior to the primary.

"Section 8. Section 1007 of the act is amended to read:

"Section 1007. Number of Ballots to Be Printed; Specimen Ballots.—The county board of each county shall provide for each election district in which a primary is to be held, one book of fifty official ballots of each party for every forty-five registered and enrolled voters of such party and fraction thereof, appearing upon the district register, and shall provide for each election district in which an election is to be held, one book of fifty official ballots for every forty-five registered electors and fraction thereof appearing upon the district register. They [shall] may also, in addition to the number of ballots required to be printed for general distribution, have printed for each election district in which a primary is to be held not less than one book of fifty official ballots of each party for the use of the absentee electors and for each election district in which an election is to be held not less than one book of official ballots for the use of the absentee electors. They shall also, in addition to the number of ballots required to be printed for general distribution, have printed ten (10) per centum of such number, to be known as reserve official ballots, and, on tinted paper, two (2) per centum of such number to be known as reserve specimen ballots, which ballots shall be kept at the office of the county board for the use of any district, the ballots for which may be lost, destroyed or stolen. They shall also cause to be printed on tinted paper, and without the facsimile endorsements, permanent binding or stubs, copies of the form of ballots provided for each voting place at each primary or election therein, which shall be called specimen ballots, and which shall be of the same size and form as the official ballots, and at each election they shall deliver to the election officers, in addition to the official ballots to be used at such election, specimen ballots for the use of the electors equal in number to one-fifth of the number of official ballots delivered to such election officers. At each primary, specimen ballots of each party shall be furnished, equal in number to one-fifth of the number of official ballots of such party furnished to the election officers as above provided.

"Section 9. The article heading and sections 1301 and 1302 of the act, added March 6, 1951 (P. L. 3), are amended to read:

"ARTICLE XIII

"Voting By [Persons In Actual Military Service] Qualified
"Absentee Electors

"Section 1301. [Qualified Electors in Actual Military

Service.—Any qualified elector in actual military service may vote under the provisions of this act in any election held in this Commonwealth, regardless of whether at the time of voting he is present in the election district of his residence, or is within or without this Commonwealth, and regardless of whether he is registered or enrolled.] Qualified Absentee Electors.—The following persons shall be entitled to vote by an official absentee ballot in any primary or election held in this Commonwealth in the manner hereinafter provided:

"(a) Any qualified elector who is, or who may be, in the military service of the United States, regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(b) Any qualified elector who is a spouse or dependent residing with or accompanying a person in the military service of the United States, regardless of whether at the time of voting such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth, and regardless of whether such spouse or dependent is registered and enrolled, or

"(c) Any qualified elector who is, or who may be, in the service of the Merchant Marine of the United States, regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(d) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is in the service of the Merchant Marine of the United States, regardless of whether at the time of voting such spouse or dependent is present in the election district of residence, or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered or enrolled, or

"(e) Any qualified elector who is or may be in a religious or welfare group officially attached to and serving with the armed forces, regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(f) Any qualified elector who is a spouse or dependent residing with or accompanying a person in a religious or welfare group officially attached to and serving with the armed forces regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered or enrolled, or

"(g) Any qualified elector who is, or who may be a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such elector is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled, or

"(h) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District

of Columbia whether or not such person is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress and regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered and enrolled, or

"(i) Any qualified war veteran elector who is bedridden or hospitalized due to illness or physical disability if he is unavoidably absent from the Commonwealth or county of his residence and regardless of whether he is registered and enrolled, or

"(j) Any qualified, registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election, or

"(k) Any qualified, registered and enrolled elector who is unable to go to his polling place because of illness or physical disability:

"Provided, however, That the words "qualified absentee elector" shall in no wise be construed to include persons confined in any penal institution.

"Section 1302. Applications for Official [Military] Absentee Ballots.—(a) Any qualified elector [in actual military service] defined in preceding section 1301, subsections (a) to (h) inclusive may apply at any time before any primary or election for an official [military] absentee ballot on [Form USWBC Form No. 1] post card application or any other form supplied by the Federal Government, or by post card, letter or other writing, addressed to the Secretary of the Commonwealth of Pennsylvania or the county board of election of the county in which his voting residence is located.

"(b) The application shall contain the following information: [Residence] Home residence, at the time of entrance into actual military service, or Federal employment, length of time a citizen, length of residence in Pennsylvania, date of birth, length of time a resident of voting district, voting district, party choice in case of primary, name, and for a military elector, his rank or grade, military address, branch of service and serial number. Any elector, other than a military elector, shall in addition specify the nature of his employment, the address to which ballot is to be sent, relationship where necessary and such other information as may be determined and prescribed by the Secretary of the Commonwealth. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of election.

"(c) The application of any qualified elector as defined in preceding section 1301, subsections (a) to (h) inclusive for [a military] an official absentee ballot in any primary or election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the [military] elector, as required in the preceding subsection.

"(d) The various county board of election, upon receipt of any application, shall ascertain from the information on such application, district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled. No application by any qualified elector in military

service or in Federal service overseas shall be rejected for failure to include any information if such may be ascertained within a reasonable time by the county board of elections.

"(e) Any qualified bedridden or hospitalized veteran unavoidably absent from the State or county of his residence, regardless of whether he is registered or enrolled, may apply at any time before any primary or election for an official absentee ballot by post card, letter or other writing, addressed to the Secretary of the Commonwealth of Pennsylvania, or the county board of elections of the county in which his voting residence is located.

"The application shall contain the following information: Residence at the time of becoming bedridden or hospitalized, length of time a citizen, length of residence in Pennsylvania, date of birth, length of time a resident in voting district, party choice in case of primary, name and address of present residence or hospital at which hospitalized. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of elections.

"The application for an official absentee ballot for any primary or election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the bedridden or hospitalized veteran as required in the preceding subsection.

"The various county boards of election, upon receipt of any application, shall ascertain from the information on such application, district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled.

"(f) Any qualified registered elector who expects to be, or is unavoidably absent from the Commonwealth or county of his residence on the day of any primary or election and any qualified registered elector who is unable to go to his polling place on the day of any primary or election because of illness or physical disability and any qualified registered bedridden or hospitalized veteran in the county of residence may apply to the Secretary of the Commonwealth of Pennsylvania or the county board of elections of the county in which his voting residence is located for an "Official Absentee Ballot." Such application or request may be made upon an application form supplied by the county board of elections. Such application form shall be determined and prescribed by the Secretary of the Commonwealth of Pennsylvania.

"(1) The application of any qualified registered elector who expects to be, or is unavoidably absent from the Commonwealth or county of his residence on the day of any primary or election, shall be signed by the applicant and shall include the surname and Christian name or names of the applicant, his occupation, date of birth, length of time a resident in voting district, place of residence, post office address to which ballot is to be mailed, the reason for his absence and such other information as shall make clear to the county board of elections the applicant's right to an official absentee ballot.

(2) The application of any qualified registered elector who is unable to go to his polling place on the day of any primary or election because of illness or physical disability and the application of any qualified registered bedridden or hospitalized veteran in the county of residence shall be signed by the applicant and shall include surname and Christian name or names of the applicant, his occupa-

tion, date of birth, residence at the time of becoming bedridden or hospitalized, length of time a resident in voting district, place of residence, post office address to which ballot is to be mailed and such other information as shall make clear to the county board of elections the applicant's right to an official ballot. In addition such electors shall attach to their application a declaration stating the nature of their disability or illness and the name of their attending physician if any, together with a supporting declaration signed by a registered elector unrelated by blood or marriage of the election district of the residence of the applicant: Provided, however, That such supporting declaration need not be furnished by any elector who is undergoing hospitalization.

"Section 10. The act is amended by adding after section 1302, three new sections to read:

"Section 1302.1. Date of Application for Absentee Ballots.—Applications for absentee ballots, unless otherwise specified, shall be made not earlier than fifty (50) days before any primary or election and not later than five o'clock P. M. on the day of any primary or election; Provided, however, That the duties of the county boards of elections and the registration commissions with respect to the removal of the district registration cards of any elector as set forth in section 1305, shall include only such applications as are received on or before the first Tuesday prior to any primary or election. In all cases where applications are received after the first Tuesday prior to any primary or election and before five o'clock P. M. on the day of any primary or election, the board of elections shall upon canvassing the official absentee ballots under section 1308, examine the voting check list of the election district of said elector's residence and satisfy itself that such elector did not cast any ballot other than the one properly issued to him under his absentee ballot application. In all cases where the examination of the county board of elections discloses that an elector did vote a ballot, other than the one properly issued under the absentee ballot application, the county boards of electors shall thereupon cancel said absentee ballot and said elector shall be subject to the penalties as hereinafter set forth.

"Section 1302.2. Lists of Absentee Electors.—In addition to the procedure outlined above, the county boards of elections shall post in a conspicuous public place at its office, a master list arranged by election district, setting forth the name, residence and local voting district or ward of every qualified but nonregistered elector to whom an absentee ballot has been sent, every qualified but nonregistered elector who is bedridden or hospitalized veteran outside the county of residence to whom an absentee ballot has been sent, and every registered elector to whom an absentee ballot has been sent pursuant to such application made after the first Tuesday prior to any primary or election and before five o'clock P. M. on the day of any primary or election. In arranging such master list, the county boards of elections shall identify qualified but nonregistered electors by prefixing the letter "N" at the left of the name of each such elector and the letter "E" at the left of the name of each registered emergency absentee voter. This list shall be known as the "nonregistered and emergency absentee voters file" and shall be posted not later than eight o'clock P. M. on the day of any primary or election. The list shall not contain the military address or military organization of any military elector. Copies of

such nonregistered and emergency absentee voters files shall be furnished upon request to the county chairman of each political party and political body and shall also be furnished to registration commissions.

"Section 1302.3. Public Inspection of Applications and Special Absentee Registration File.—It is the intention of this section, together with sections 1305 and 1307, that all applications and the special absentee registration file as provided in section 1305, be open to public inspection and that only those electors whose names appear on the "non-registered and emergency absentee voters file" and those registered electors whose names are contained in the special absentee registration file represented fully and completely each and every elector who has availed himself of the absentee voting privilege for such primary or election.

"Section 11. Sections 1303, 1304, 1305, 1306, 1307, 1308 and 1309 of the act, amended March 6, 1951 (P. L. 3) are amended to read:

"Section 1303. Official [Military] Absentee Voters Ballots.—(a) [Ballots] In districts in which ballots are used, the ballots for use by such [military] absentee electors under the provisions of this act shall be [prepared sufficiently in advance by the county boards of election and] the official ballots printed in accordance with sections 1002 and 1003: Provided, however, That the county boards of elections when detaching the official ballots for absentee electors shall be required to indicate on the stub of each ballot so detached the name of the applicant to which that precise ballot is being sent. The county boards of election shall also be required to remove the numbered stub from each such ballot and shall thereupon print, stamp or endorse upon such official ballots the words "Official Absentee Ballot." Such ballots shall be distributed by such boards as hereinafter provided. [Such ballots shall be marked "Official Military Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act, which form shall be determined and prescribed by the Secretary of the Commonwealth.]

"(b) In districts in which voting machines are used, and in those districts in which paper ballots are used, and the county boards of election therein do not print official absentee ballots in accordance with sections 1002 and 1003, the ballots for use by such absentee electors under the provisions of this act shall be prepared sufficiently in advance by the county boards of elections and shall be distributed by such boards as hereinafter provided. Such ballots shall be marked "Official Absentee Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act, which form shall be determined and prescribed by the Secretary of the Commonwealth.

"In cases where there is not time, in the opinion of the county boards of election, to print on said ballots the names of the various candidates for district, county and local offices, the ballots shall contain blank spaces only under the titles of such offices in which electors may insert the names of the candidates for whom they desire to vote, and in such cases the county boards of election shall furnish to electors lists containing the names of all the candidates who have been regularly nominated under the provisions of this act, for the use of such electors in preparing their ballots.

"Section 1304. Envelopes for Official [Military] Absentee

Ballots.—The county boards of election shall provide two additional envelopes for each official [military] absentee ballot of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Official [Military] Absentee Ballot," and nothing else. On the larger of the two envelopes to be enclosed within the mailing envelope shall be printed the [affidavit] form of the declaration of the elector [together with the jurat of the person in whose presence the ballot is marked and before whom the affidavit is made] and the name and address of the county board of election of the proper county. Said [affidavit, jurat] form of declaration and envelope shall be [in the form] as prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of the elector's qualifications, together with a statement that such elector has not already voted in such primary or election. The mailing envelope addressed to the elector shall contain the two envelopes, the official [military] absentee ballot, lists of candidates when authorized by Section 1303, subsection (b) of this act, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else: Provided, however, That envelopes for electors qualified under preceding section 1301, subsections (a) to (h) inclusive, shall have printed across the face of each envelope in which a ballot is sent, two parallel horizontal red bars each one-quarter inch wide, extending from one side of the envelope to the other side with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope and with the words "Official Election Balloting Material via Air Mail" between the bars, that there be printed in the upper right corner of each such envelope in a box the words "Free of U. S. Postage, Including Air Mail," that all printing on the face of each such envelope be in red and that there be printed in red in the upper left corner of ballot envelope the name and address of the county board of elections of the proper county.

"Section 1305. Duties of County Boards.—(a) The county boards of elections, upon receipt of any application filed by any elector in accordance with the provisions of section 1302, subsections (a) and (e), shall [at least twenty-five days prior to the election] as soon as possible after the respective district ballots are printed, and in no event later than the second Tuesday prior to the day of the primary or election commence to deliver or mail official [military] absentee ballots to all electors whose names and addresses have been ascertained; as additional names and addresses of such electors are ascertained, the board shall deliver or mail official [military] absentee ballots to such additional electors within forty-eight hours after ascertaining their names and addresses.

"(b) [Each county board of election shall post in a conspicuous public place at its office a master list, arranged alphabetically by election districts, setting forth the name, residence and local voting district or ward of every elector to whom an official military ballot has been sent. This posted list shall not contain the elector's military address or military organization. This list shall be known as the "Military File" and shall be posted at least five days before the election day involved, and shall also set forth the total number of such ballots pre-

pared for use in such election. Copies of such military files shall be furnished upon request to the county chairman of each political party and political body, and shall also be furnished to registration commissions.] The county boards of elections upon receipt of any application filed by any registered qualified elector in accordance with section 1302.1 shall determine the qualifications of such applicant by comparing the information set forth on such application with the information contained on the applicant's permanent registration card. If the board is satisfied that the applicant is qualified to receive an official absentee ballot, the application shall be marked "Approved." When so approved the applicant's permanent registration card shall be removed from the district register and inserted in a special absentee registration file. Commencing on the second Tuesday prior to the day of the primary or election, the county board shall mail or deliver personally to all approved applicants an official absentee ballot or ballots and all materials in accordance with the provisions of section 1303, as additional names and addresses of electors are ascertained the board shall deliver or mail official absentee ballots to such additional electors within forty-eight hours after ascertaining their names, addresses and qualifications.

"In the event that an application is not approved by the county board, the elector shall be notified immediately to that effect with a statement by the county board of the reasons of the disapproval.

"Section 1306. Voting by Absentee Electors [in Actual Military Service].—(a) At any time after receiving an official [military] absentee ballot, but on or before the day of the primary or election the elector [for the purpose of voting, may appear before any person of this or any other state or territory of the United States authorized to administer oaths by Federal, State or military laws. The elector shall first display the ballot to such person as evidence that the same is unmarked and then] shall in secret proceed to mark the ballot [with] in black lead pencil, [crayon] indelible pencil or [ink in the presence of such person but in such manner that the person administering the oath is unable to see how the same is marked] blue, black or blue-black ink in fountain pen or ball point pen and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official [Military] Absentee Ballot." This envelope shall then be placed in the second one on which is printed the [affidavit] form of declaration of the elector [the jurat of the person before whom the elector appears] and the address of the elector's county board of election. The elector shall then fill out [subscribe] date and [swear to] sign the [affidavit] declaration printed on such envelope [and the jurat shall be subscribed and dated by the person before whom the affidavit was taken]. Such envelope shall then be securely sealed and the elector shall send same by mail, postage prepaid except where franked or deliver it in person or by representative to said county board of election.

"(b) In the event that any such elector excepting an elector in military service, or any elector unable to go to his polling place because of illness or physical disability entitled to vote an official absentee ballot shall be in the county of his residence on the day for holding the primary or election for which the ballot was issued, or in the event any such elector shall have recovered

from his illness or physical disability sufficiently to permit him to present himself at the proper polling place for the purpose of casting his ballot, such absentee ballot cast by such elector shall upon challenge properly sustained be declared void.

"However, any such elector referred to in this subsection who is within the county of his residence shall be permitted to vote upon, presenting himself at his regular polling place in the same manner as he could have voted had he not received an absentee ballot: Provided, That such elector has first presented himself before the court of common pleas of his county between the hours of seven o'clock, A.M. and five o'clock P.M. on the day of any primary or election and has procured an "Emergency Voting Form" signed by the court, which form entitled the elector to vote at his regular polling place upon the signing of a voter's certificate: Provided, however, That the court may require the surrender of said elector's absentee ballot where he has not already voted which shall thereupon be marked "cancelled" by said court and transmitted to the county board of elections. In the event such elector has already voted, then the court shall direct the county board of elections to set such ballot aside unopened.

"Section 1307. [Military] Certain Electors Voting in Districts of Residence.—(a) Whenever any [qualified] elector[in actual military service] qualified in accordance with the provisions of section 1302, subsections (a) and (e), is present in his voting district of residence on any primary, municipal or general election day and has not already voted in such election, he may apply to his district election board for an official ballot and vote it in such election.

"(b) Each such application shall be in the form and shall contain the information required by this act, together with a statement by the applicant that he has not already voted in the election. All such applications shall be transmitted to the county board of election immediately upon the closing of the polls.

"(c) Upon receiving an official ballot and envelopes therefor he shall in secret in the polling place vote the ballot and [prepare it for execution of the affidavit and jurat] execute the declaration as prescribed by this act. [The affidavit shall be executed before the judge or either inspector of election and the jurat subscribed by the person before whom the affidavit is taken]. The [military] elector shall then securely seal the second envelope and hand it to the judge of election. The judge of election shall place all such envelopes in a container marked "Official [Military] Absentee Ballots" which shall be sealed immediately upon the closing of the polls and transmitted to the county board of election.

"(d) Each district election board shall prepare a separate list of the names of all such voters, which shall be attached to the lists of voters required by the act to which this is an amendment.

"(e) Each county board of election shall prepare and deliver to each district election board on such election days an adequate supply of official ballots, envelopes and other supplies as required by this act.

"(f) Each county board of election, before the day fixed by this act for the canvassing of official ballots, shall post, attached to the "[Military] Nonregistered and Emergency Absentee Voters File," an alphabetically arranged list setting forth the name, residence, the local

voting district and ward of every military elector voting under the provisions of this section. The list shall not contain the elector's military address or military organization. Copies of such list may be furnished as in the case of copies of the [military file] "nonregistered and emergency absentee voters file."

"Section 1308. Canvassing of Official [Military] Absentee Ballots (a) The county boards of election upon receipt of official [military] absentee ballots in such envelopes shall safely keep the same until they meet to canvass official [military] absentee ballots, which canvass shall begin immediately following the official civilian canvass for [all] the primary [election. After the November election, the canvass of official military ballots shall begin at ten o'clock A. M., Eastern Standard Time, on the second Friday following the election] or November election or the second Friday following the primary or November election whichever date is later. Said canvass to commence at ten o'clock A. M., Eastern Standard Time. No such ballots shall be counted which are received in their offices later than ten o'clock A. M., Eastern Standard Time of the second Friday following the primary election or the November election. At such time the members of the return boards or the county boards of election shall in person dispose of official [military] absentee ballots in the manner hereinafter set forth. The county boards of election may designate a sufficient number of clerks to perform such duties. When it is determined that clerks shall be appointed, the total number shall in every case be in multiples of three and each member of a county board of election shall appoint an equal number thereof.

"(b) Each candidate for nomination or election shall be entitled to appoint one watcher and each political party or body which has nominated candidates shall be entitled to appoint three watchers. Watchers shall be permitted to be present when the envelopes containing official [military] absentee ballots are opened and when such ballots are counted and recorded.

"(c) In disposing of an official [military] absentee ballot, the county return board or the county board of election shall examine the [affidavit and jurat] declaration and if the [jurat] same bears a date later than the date of [the] such primary or election, the envelope shall be set aside unopened.

"(d) Whenever it shall appear by due proof that any absentee elector who has returned his ballot in accordance with the provisions of this act has died prior to the opening of the polls on the day of the primary or election, the ballot of such deceased elector shall be rejected by the canvassers but the counting of the ballot of an elector thus deceased shall not of itself invalidate any nomination or election.

"(e) The board shall then further examine the [affidavit and jurat of] declaration on each envelope not so set aside and shall compare the information thereon with that contained in the [military] special absentee registration file and the nonregistered and emergency absentee voters file. If the board is satisfied that the [affidavit and jurat are] declaration is sufficient and that the elector has qualified and the board has utilized the information contained in the [military] nonregistered and emergency absentee voters file and the special absentee registration file to verify his right to vote the board shall announce the name of the elector and shall give any person present an opportunity to challenge in like manner and for the

same cause, except the failure of qualified electors set forth in preceding section 1301, subsections (a) to (i) inclusive to register or enroll as the elector could have been challenged had he presented himself in his own district to vote other than by official [military] absentee ballot. If no challenges are sustained, the board shall open the envelope in such manner as not to destroy the [affidavit and jurat printed] declaration executed thereon. All envelopes on which are printed, stamped or endorsed the words "Official [Military] Absentee Ballot" shall be placed in one or more depositories well shaken and the envelopes mixed before any envelope is taken therefrom. The board shall then break the seals of such envelopes, remove the ballots and record the votes in the same manner as district election officers are required to record votes. Upon completion of the computation of the returns of the county, the votes cast upon the official [military] absentee ballots shall be added to the other votes cast within the county.

"Section 1309. Public Records. All official [military] absentee ballots, [military] files, applications for such ballots and envelopes on which the [jurats and affidavits] executed declarations appear and all information and lists are hereby designated and declared to be public records and shall be safely kept for a period of two years, except that no information concerning a military elector shall be made public which is expressly forbidden by the War Department because of military security.

"Section 12. The act is amended by adding after section 1309, a new section to read:

"Section 1310. Penalties.—Any person voting an official absentee ballot who wilfully falsifies the declaration or who votes any ballot other than the one properly issued to him, except as provided in section 1306, subsection (b), or who votes or attempts to vote more than once at any primary or election is guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars (\$1000) or imprisonment for a term not to exceed two (2) years, or both.

"Section 13. Article XIII-A of the act and its amendments are repealed."

Amend Sec. 4, page 63, line 1, by striking out "SECTION 4 ALL" and inserting: "All other".

Amend Sec. 5, page 63, line 3, by striking out "5" and inserting: "14".

Amend Sec. 6, page 63, line 6, by striking out "6" and inserting: "15".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, these amendments, as the Minority Leader stated, and after I have read them carefully, would appear to put the bill back into the same condition that it was in when it came from the House.

Our advice and information was that the bill, in that form, would have been unconstitutional. The amendments, which I offered to this bill sometime ago, and which are now incorporated in it, would, in my opinion, make it a workable bill, and one which will carry out the intent of the voters to provide for absentee balloting which, as was correctly stated, has been approved by the League of Women Voters and every other league that I know of which has considered this problem. It was in both party platforms.

We believe that House Bill No. 1977, Printer's No. 2000, as it presently appears on our Calendar, is in proper form, and is a bill which should be approved.

Consequently, Mr. President, I ask my colleagues to vote "no" on the amendments and to vote "aye" on the bill.

Mr. WEINER. Mr. President, this bill as it came from the House was not only approved by the League of Women Voters, but the Federal Government. Congress, under the Federal Assistance Act of 1955, asked the States to enact supplementary legislation which would allow members of the Armed Forces, their spouses and dependents to vote; members of the Merchant Marine, their spouses and dependents to vote; civilian Federal employees serving outside the United States, their spouses and dependents accompanying them to vote; and members of welfare or religious groups officially attached to and serving with the Armed Forces, their spouses and dependents to vote.

In order for this to be done, legislation was uniformly prepared and sent throughout the Country to the State Legislatures to be acted upon. The amendments which have been added here provide for a rather involved procedure for an individual to qualify as an absentee voter. It changes the form suggested by the Federal Government to such an extent that the free airmail privilege is no longer available.

These amendments, for all practical purposes, once this has become a difficult problem, eliminate the possibility of any Federal employee or person serving in the military service to ever qualify to vote. What you have actually done is taken away this privilege from these people who are entitled to it by law. I think to, in any way, cut down a person's ability to qualify as an elector or to cut down his ability to vote in a democracy is certainly depriving him of his basic right and basic privilege, which is the right to vote.

We here in the States, in the North, certainly condemn any State which makes voting difficult by imposing a poll tax, a realty tax or any other kind of a tax to prevent someone from exercising this right that has been given to them under both the State and Federal Constitutions.

What do we do here? We have an opportunity to make it easier for these people to vote. By these amendments in the Senate, we take away or abrogate this right. This bill has been emasculated to the point—this is not only in my words, and I am not speaking from a partisan point of view, but here is Mr. John Scotzin, who writes for the Sunday Patriot-News. I do not know generally the political view of that paper. However, back on October 18 of this year, Mr. Scotzin said the very things that I am telling you right now. I do not think that the Patriot-News has any particular interest in this measure, any more than they have in any other, and they take the same position that I have taken. I want to quote just one phase of the article:

"Largest groups of absentees who would have been qualified to vote by mail in the original form are employes of the Federal government, Merchant Marine, members of religious and welfare agencies serving the armed forces—along with spouses and dependents in each case—whose duties take them to all parts of the world."

Mr. Scotzin goes on to say:

"Floor amendments heavily emasculated, nearly to the point of shell-form, a House-approved bill to implement a constitutional amendment of 1957, which provides for absentee voting by those unavoidably absent from the state or county of residence because of occupation or business reasons, illness or physical disability."

I am sure neither his paper nor Mr. Scotzin, himself, have any personal animosity against anyone who offered the amendments or have any personal reason other than looking at this matter objectively. If a newspaper takes that attitude, I think we, as Members representing the people in our Districts who are unavoidably absent, certainly cannot take a lesser position. If anything, we should certainly take a stronger position and bring this bill back to where it was originally, because the idea is not to prevent people from voting, but to get as many of them as we can to register and vote on election day.

Mr. BERGER. Mr. President, it has been suggested that I request permission to interrogate Mr. Scotzin, but I will not do that.

However, Mr. President, the whole question here, in its fundamental, is whether or not the absentee voter shall be a qualified voter, in spite of all of the verbiage that has been used in discussing the question. We think that the man or woman should be qualified to vote in the district in which they cast their absentee ballot, just the same as any other voter. That is the whole question. The bill requires that they be qualified and registered voters.

Mr. WEINER. Mr. President, I do not want to delay this discussion unduly. However, the point is that this is the basic premise that is used in many States where they want to prevent people from voting. They say, "Are you properly qualified or registered?" The basis for that is that if you are in the service, you may be taken off the rolls for any reason that they can think of—perhaps because you have not voted in the last two elections—so you can never become properly qualified or duly registered. Therefore, you are being denied your right of franchise.

This bill was supposed to take care of that problem, and also to prevent fraud. I do not think anyone wants to make money that easy that they would allow fraudulent voting. However, by the same token, you have taken away from people, who through no fault of their own are away from their homes on election day, the right to vote and express their opinion.

It seems incongruous to deny the right to vote to a man who goes into the Federal service either as a military man or on behalf of the government to work outside the continental limits of the United States. As you well know, if you have been watching television or listening to the radio, the government has been recruiting people and is having a difficult time doing so. I think once a person has obligated himself, it is sort of undemocratic of us to cut off his right to continue to serve as a citizen. In a sense, voting is one of the rights of a citizen and a good citizen does vote.

Mr. BERGER. Mr. President, if that is so, then we might just as well repeal the permanent registration law. After all, there is no reason in the world why a voter may not qualify himself and register just the way every other voter in the Commonwealth has to do. If he goes away, all he needs to do is vote by his absentee ballot, if he is a registered and qualified voter. I can see no reason in the world why anyone who wishes to cast a ballot in the Common-

wealth of Pennsylvania, under our laws, should not be a qualified and a registered voter in order to do so.

Mr. WEINER. Mr. President and Members of the Senate, I suggest to you that if this is the case, what do you do about a young man who goes into the service when he is eighteen or twenty years old and becomes twenty-one while he is in the service and is outside of the continental limits of the United States? He cannot vote until he gets back to the States, and it may be two years before that happens. Therefore, you have disenfranchised him for two years under the interpretation of a properly registered, duly qualified voter.

Mr. LANE. Mr. President, I am of the opinion that unless these amendments are accepted here today, we should not even pass this bill. We are better off, I think, with the old legislation.

I am not one to generally quote editorials because I disagree with some editorials. However, there was an editorial in the Pittsburgh Post of November 17, 1959, which I think wraps this up in detail. It says:

"Ballot Bungling.

"The Senate in Harrisburg has thus far so amended legislation to permit absentee voting for Pennsylvanians as to disfranchise many among the intended beneficiaries of the earlier House legislation.

"Senate amendments have inserted a number of defects, among which three may be cited here:

"1. By requiring registration in advance (not required for military servicemen and hospitalized veterans), the Senate would continue to disfranchise civilians abroad who have never registered, including some wives of servicemen, some Red Cross personnel and their spouses, some U. S. Government workers and their spouses, some private business employes and social workers.

"2. By closely restricting the period within which an absentee may apply for a ballot, the senate would in effect void many applications made too soon or too late, and would, in all, add to the clerical burdens of county election bureaus that handle voting affairs. The valid period is fixed by the Senate amendment at from 30 to 7 days prior to an election. An application received before the 30th day would be void, as would one after the 7th day. At the least, the law should not disqualify applications received before the 30th day preceding an election.

"3. By ill-considered changes in the House legislation, the Senate would require a county election bureau to print four different kinds of ballots (one each for the several categories of voters) instead of a single ballot. This would, for example, add \$30,000 a year to the printing costs for ballots here in Allegheny County.

"The Senate has not yet completed its work on absentee voting. Thus, time remains and should be advantageously employed by it to undo its amendment damage and to approve legislation similar to the models of fairness and good sense . . ." that we received from the House of Representatives.

I have worked with county election boards for quite some time, and the costs of elections keep increasing as the years go by. I do feel that what we should do here today is accept Senator Weiner's amendments and let us get the bill in print and review it again and see if there are any errors and pass it in that form.

I am going to wind up by saying that I feel we should accept these amendments. I think we should review this bill in detail because this is very, very important legisla-

tion. I do not believe that the Republicans deliberately tried to disfranchise anyone, but I do believe they possibly have not given a lot of thought to this problem. I believe these amendments are in error, and we should take Senator Weiner's amendments and review the legislation and pass it before we close this Session.

Incidentally, we are having a marathon Session and it appears that we are going to have lots of time, because the Republicans want to make sure that the Governor does not appoint any members to the Public Utility Commission.

And the question recurring,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I request a roll call vote on these amendments.

Mr. LANE. Mr. President, I also request a roll call.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. WEINER and Mr. LANE, and were as follows, viz:

YEAS—12

| | | | |
|---------------------------|-------------------------------|---------------------------|--------------------------------|
| Barr, Camiel, Hays, | Lane, McCreesh, Mullin, | Murray, Ripp, Ruth, | Seyler, Silvert, Weiner, |
|---------------------------|-------------------------------|---------------------------|--------------------------------|

NAYS—24

| | | | |
|---|---|--|--|
| Berger, Blass, Chapman, Confair, Ehrgood, Elliott, | Flack, Keller, Kessler, Koprivier, Jr., Kromer, Madigan, | Mallery, Pechan, Probert, Shafer, Taylor, Van Sant, | Wade, Walker, Watkins, Whalley, Wolfe, Wagner, Presiding Officer |
|---|---|--|--|

So the question was determined in the negative, and the amendments were not agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

MOTION TO RECOMMIT BILL

Mr. LANE. Mr. President, in view of the action of the Senate the other day, I hereby move that Senate Bill No. 1977, Printer's No. 2000, be recommitted to the Committee on Elections and that a resolution be prepared, thereby allowing the Local Government Commission to do a good job on elections. We hope that we will have it at the next regular Session.

Mr. President, this bill is no good now in its present form. Therefore, let us recommit it to the Committee on Elections.

Mr. RIPP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, I ask for a roll call vote.

Mr. RIPP. Mr. President, I request a roll call.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. LANE and Mr. RIPP, and were as follows, viz:

YEAS—12

| | | | |
|---------------------------|-------------------------------|---------------------------|--------------------------------|
| Barr, Camiel, Hays, | Lane, McCreesh, Mullin, | Murray, Ripp, Ruth, | Seyler, Silvert, Weiner, |
|---------------------------|-------------------------------|---------------------------|--------------------------------|

NAYS—24

| | | | |
|---|---|--|--|
| Berger, Blass, Chapman, Confair, Ehrgood, Elliott, | Flack, Keller, Kessler, Koprivier, Jr., Kromer, Madigan, | Mallery, Pechan, Probert, Shafer, Taylor, Van Sant, | Wade, Walker, Watkins, Whalley, Wolfe, Wagner, Presiding Officer |
|---|---|--|--|

So the question was determined in the negative, and the bill failed of recommitment.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I am going to vote for this bill only for the reason that I know full well it will go to a Conference Committee. Perhaps we can get some of our views to prevail in the Conference Committee, where as we may not be able to do so on this floor.

Therefore, Mr. President, I will vote "aye" on the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|---|---|--|---|
| Barr, Berger, Blass, Camiel, Chapman, Confair, DISilverstro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, Miller, | Mullin, Murray, Pechan, Probert, Ripp, Rooney, Ruth, Sarra, Scott, Seyler, Shafer, Silvert, | Stevenson, Stiefel, Taylor, Van Sant, Wade, Walker, Watkins, Weiner, Whalley, Wolfe, Wagner, Presiding Officer |
|---|---|--|---|

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

The PRESIDING OFFICER. The Chair, having noted that the sartorial splendor of the Lieutenant Governor has been restored, is pleased to return the gavel to him at this time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

HB 1980—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|---------------------------------------|--|---|---|
| Barr, Berger, Blass, Camiel, | Harney, Kalman, Keller, Kessler | McMenamin, Miller, Mullin, Murray, | Silvert, Stevenson, Stiefel, Taylor, |
|---------------------------------------|--|---|---|

| | | | |
|--|---|--|---|
| Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, | Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, | Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Shafer, | Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|--|---|--|---|

NAYS—2

| | |
|-------|---------|
| Hays, | Seyler, |
|-------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2018—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|--|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|--|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2019—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|--|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|--|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2108 and 2170—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

HB 2192 and 2193—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 2273—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|--|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafet, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|--|--|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2277—Read at length the third time and agreed to, the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|--|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|--|--|--|

NAYS—0

A majority of all the Senators having voted, "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2380—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|---|---|--|--|
| Barr, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr. Kromer, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Scott, Seyler, Shafer, | Silvert, Stevenson, Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, |
|---|---|--|--|

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2402—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 2409—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2422 and 2430—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 2431—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2455—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2456—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Caucus Room on the first floor.

The PRESIDENT. Are there any objections?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, we are fast approaching the holiday season and next week will be the week of December 14. I believe after that we will have difficulty in getting the Members here because many of them have holiday plans.

Would the gentleman please advise us whether the in-

tention is to adjourn sine die next week and work a full week, or is it the intention to continue on, thereby making no difference whether we are here next week, the following week or come back January 4, 1960, as far as clearing up the Calendar and other outstanding business is concerned?

Mr. BERGER. That was a long interrogation, Mr. President, but I will be glad to answer it.

First of all, I am sure that all the gentlemen on the other side have been forehanded and have their Christmas shopping completed.

Our plans, Mr. President, are to return here next Monday. During that week, we plan to proceed as rapidly as possible to dispose of all the legislation that remains on our Calendar. At the end of that week, we plan to take such recess or interval as may be necessary to permit all the Members to enjoy the holiday season at home.

Mr. WEINER. Mr. President, will the gentleman please further advise us whether it is a fair conclusion that there will be no sine die adjournment until probably January 4th or 5th, of next year? If I am wrong in assuming that, would the gentleman please correct me?

Mr. BERGER. Mr. President, that is within the realm of possibility, but is by no means a certainty.

The PRESIDENT. There being no objection, the Chair declares a one hour recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. RUTH, by unanimous consent, from the Committee on Rules reported, as amended, **HB 1002**.

Mr. KESSLER, by unanimous consent, from the Committee on Finance, reported, as amended, **HB 1597**.

REPORTS OF COMMITTEES OF CONFERENCE

Mr. KOPRIVER, Jr., submitted Report of Committee of Conference on **HB 2268**, which was laid over for printing under the rules.

Mr. RIPP submitted Report of Committee of Conference on **HB 1207**, which was laid over for printing under the rules.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF SELINGSGROVE STATE SCHOOL

December 7, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Olan Dimm, R. D., Mifflintown, Juniata County, for reappointment as a member of the Board of Trustees of Selingsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF NURSE EXAMINERS

December 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Olivia L. Barres, Reading Hospital, Reading, Berks County, for reappointment as a member of the State Board of Nurse Examiners, for a term of six years, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 432, 594, 647, 959, 998, 1099, 1161, 1172, 1261, 1610, 1611, 1612, 1822, 1915, 1954, 2063, 2316, 2319, 2359, 2371, 2376, 2382, 2425 and 2446**.

HB 1355 TAKEN FROM THE TABLE

Without objection, Mr. WEINER called from the table **HB 1355** for consideration.

RECONSIDERATION OF HB 1355

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which **HB 1355** passed finally today.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. SEYLER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SEYLER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Title, page 1, last line of Title, by inserting after "SHOPLIFTING": "and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and"; Amend Bill, page 4, by inserting between lines 2 and 3: "Section 2. Section 822 of the act is amended to read: "Section 822. Embezzlement by Public Officers, etc.—Whoever, being an officer, employe or agent of this Commonwealth, or political subdivision thereof, charged with the collection, safekeeping, transfer or disbursement of public money, converts to his own use, in any way whatsoever, or uses by way of investment, in any kind of property or merchandise, any portion of the public money intrusted to him for collection,

safe-keeping, transfer or disbursement, or proves a defaulter, or fails to pay over the same when thereunto legally required by the person authorized to demand and receive the same, or aids or abets or is an accessory to any such act, is guilty of embezzlement, a felony, and upon conviction thereof, shall be sentenced to undergo imprisonment, by separate or solitary confinement at labor, not exceeding ten (10) years, or to pay a fine not exceeding the amount of the money embezzled, or both. "The term "public money" shall include taxes of this Commonwealth or of any political subdivision thereof, and the word "agent" shall include any person who undertakes the collection, safekeeping, transfer or disbursement of such taxes to the Commonwealth or to the political subdivision entitled to receive them"; Amend Sec. 2, page 4, line 3, by striking out "2" and inserting "3"; Amend Sec. 2, page 4, line 3, by striking out "immediately" and inserting: "in ten days."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 63, 117, 203 and 853—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

SB 993—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1057, 1108, SB 1256, 1257, HB 1380, 1735, 1740 and 2209—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

BILLS ON FIRST READING

Mr. PECHAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 1002, 1597, 2317, 2327, 2413, 2440, 2441, 2443 and 2457.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. KOPRIVER, JR., by unanimous consent, presented to the Chair **SB 1271**, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law," requiring the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

Which was committed to the Committee on Rules.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY WHETHER INDUSTRIAL DEAFNESS SHOULD BE A COMPENSABLE INJURY UNDER "THE PENNSYLVANIA OCCUPATIONAL DISEASE ACT"

Mr. WEINER, by unanimous consent, offered the following resolution (Serial No. 123), which was read and referred to the Committee on Rules:

In the Senate, December 8, 1959.

The loss of hearing over a period of time due to industrial noise is not at present a compensable injury under "The Pennsylvania Occupational Disease Act."

It is a known fact that the constant noise of industrial machinery to which many workers are subjected in the course of their employment causes an impairment and sometimes a complete loss of hearing. Such an injury is a direct result of the type of employment in which such individuals are engaged, and the injury is just as permanent and just as much of an obstacle to future employment and full enjoyment of life as is the sudden loss of hearing due to an explosion or other single incident, or the loss of sight or of a member of the body, all of which are now compensable injuries; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to make a study of whether industrial defense should be a compensable injury under "The Pennsylvania Occupational Disease Act," and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO DOCTOR ISRAEL ZAMOST AND THE FRANKLIN SCHOOL OF SCIENCE AND ARTS IN PHILADELPHIA UPON ITS FORTIETH ANNIVERSARY

Mr. WEINER, by unanimous consent, offered the following resolution (Serial No. 88), which was read, considered and adopted:

In the Senate, December 8, 1959.

Whereas, over the past forty years the Franklin School of Science and Arts of Philadelphia has contributed over five thousand trained graduates to the medical technical sciences, and

Whereas, Dr. Israel Zamost, it's founder and president has pioneered in establishing curricula for medical technologist, x-ray technologists and medical secretaries which are now in use in schools and hospitals throughout the World, and

Whereas, this Institution has contributed vital personnel to important medical research and to the care of patients in hospitals, laboratories and medical offices throughout the State and Nation, therefore be it

Resolved, That the Senate of Pennsylvania does hereby commend and congratulate Dr. Zamost and the Franklin School of Science and Arts in Philadelphia upon its Fortieth Anniversary and for its many contributions to modern medical sciences, and be it further

Resolved, that a copy of this Resolution be forwarded to Dr. Israel Zamost at the Franklin School of Science and Arts—251 South 22nd Street, Philadelphia 3, Pennsylvania.

SB 298, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 298**, which was recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF SB 298

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which **SB 298** passed finally on September 16, 1959.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote.

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. WADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, line 6, by striking out "next"; Amend Sec. 1, page 2, line 6, by inserting after "Assembly": "which meets in the year 1961"; Amend Bill, page 2, by inserting after line 6: "Section 2. This act shall take effect April 1, 1960."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill amended lie over for printing.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, December 9, 1959, at 10:00 o'clock a. m.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:37 o'clock p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, December 8, 1959

The House met at 1:00 p.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, Thou Omniscient One, we come to Thee in the realization that we, too, need the power of Thy wisdom. As Thou hast entrusted to these Thy servants the operation of lawmaking within this great Commonwealth, grant to them the knowledge whereby they may use wisely the wisdom which they possess. Purge their hearts and minds of all petty thoughts and selfish gain, and endow them with the truth which Thou wouldst have realized by their efforts. Through Thy divine counsel we pray that the Members of this House may continually seek and eternally follow Thy will and Thy way: through Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, December 7, 1959 will be postponed until printed.

The Chair hears none.

BIRTHDAY OF CHIEF PAGE

Mr. DENGLER. Mr. Speaker, we, from time to time, have very important birthdays coming up in this House, but today I think we have a very special one.

Today is Benny Foltz's birthday. Benny is our Chief Page and he does a wonderful job for us. I think we should all sing, very lustily, Happy Birthday Dear Benny.

The Members joined in singing "Happy Birthday."

The SPEAKER. Does the Chief Page desire to be recognized for any remarks.

CHIEF PAGE (Benny Foltz). Mr. Speaker and Members of the House, I am very glad for this opportunity to thank all of the Members for the wonderful gift they gave me to enable me to talk with. I thank them from the bottom of my heart, and God bless you all. Thank you.

The SPEAKER. That is one of the many modern marvels, that little box which the Members of this House contributed. That little box enlightens life, encourages a man and is a lesson to all of us.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mrs. MONROE for the remainder of the week because of illness.

Mrs. Varallo for Mr. REIDENBACH for the remainder of the week because of illness.

Mr. Tompkins for Mr. WILLAREDT for the week.

Mr. Tompkins for Mr. ROYER for today.

Mr. Tompkins for Mr. BRENNINGER for today.

Mr. Tompkins for Mr. HEFFNER for today.

Mr. Tompkins for Mr. O'DELL for the week.

PERMISSION TO ADDRESS HOUSE

Mr. CURWOOD asked and obtained unanimous consent to address the House.

Mr. Speaker, ladies and gentlemen of the House, I come before you today with a very important situation I think, and I think it is dear to the hearts of every Member of this House, it is highway safety. I would like to give you an idea how our Highway Department is run.

The Highway Safety Department is something that is very dear to my heart and the hearts of all of us. I, for one, believe in strict prosecution but certainly not persecution, which may happen when an individual receives a summons from a police officer and for the sake of convenience pays his ticket to the Justice of the Peace without availing himself of the right to a hearing. A lot of your constituents have come to you in the same cause. He then receives correspondence from the Bureau of Highway Safety advising him of his right to a departmental hearing or a suspension. If he does not have this hearing, his license is suspended. If he does have the hearing, and I use this term loosely, because such a hearing is a mock hearing if I ever saw one, he still has his license suspended. The hearing examiners are afraid of being reprimanded if they choose to recommend no action, and lots of times no action should be recommended. No matter how legitimate the statement of the individual his license is still suspended. Just in case the hearing examiner should become daring and recommend no action, this decision is reviewed by the reviewing unit.

During the past three years, I have had many occasions to make inquiries from the staff members of the various bureaus of Highway Safety in the Department of Revenue. Without a doubt, the Bureau is the essence of organized confusion. There are many inconsistencies in their decisions and morale has reached its lowest ebb among the employees.

As a result, if an inquiry is made by a Member of the House, such as myself, it may be a month before a reply is received. The thought occurs that perhaps it is not a unique situation, where I alone have viewed this confused operation for some time.

We are dealing with human beings who are dependent upon their motor vehicle privileges, and who, in many instances, lose their jobs and are forced to be a burden to the taxpayers of the community.

I bring this statement to you for this reason: I think in my own mind, and I know you all feel the same way, that Highway Safety is one of the most essential things there is in the state of Pennsylvania, but I do contend if a man loses his license there should be some way he can get it back to make a living or something of that nature. I feel that we are a little bit too strict in some cases and not strict enough in other cases. I just wanted to bring that before the House.

PERMISSION TO ADDRESS HOUSE

Mr. GALLAGHER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to concur with Mr. Curwood's remarks. I, too, have had in my short time here many problems with the acquisition of drivers' licenses once a suspension has terminated.

It seems that the department is quick enough in taking the fellow's license from him but when the period is over, somewhere along the line, through probably some administrative confusion, for the license to be returned to the driver or the constituent, it takes them a week, or two or three weeks, or maybe a month, at the time.

I think there should be some provisions made, since today we are discussing some of the problems of highway safety, to return these licenses to these people who were suspended or revoked as promptly as they are picked up by the State Police or by the Department of Highway Safety.

Sometimes also there have been many cases where lencency could have been shown where there have been very extenuating circumstances, but at these so-called hearings before the Department of Highway Safety, apparently, the word of the person in question is not taken to heart and the Review Board just decides on the cold facts as they are written down on paper, and oftentimes the poor fellow is put out of work and his family goes hungry because of some mistake or misunderstanding.

I think that Mr. Curwood has a proper idea, and I hope that somebody will look into this matter and take steps to correct these problems.

STATEMENT BY SPEAKER

The SPEAKER. Before recognizing the gentleman from Cameron, the Chair desires to make a statement. The gentleman from Cameron sometimes says he needs a bell or he thinks he needs a bell in order to attract the attention of the Chair. I have also heard some complaint about that being a particularly noisy corner, subject to all kinds of interruptions.

If the Minority Leader desires to have a desk at a place on this side of the aisle, in the same relative location in which the desk of the Majority Leader is located, we can have such an installation made almost overnight.

We imagined that the Minority Leader is where he is because that is where he preferred to be, but if he would rather have a place similar to the one that the Majority Leader occupies, we will have it done overnight.

The Chair will admit it would be much easier to see him where the gentleman from Lancaster sits than it is to see him over there in that corner and sometimes the Minority Leader is so surrounded by advisers in that corner that it is difficult to tell just where the Minority Leader is to be found in the midst of the group.

Mr. TOMPKINS. Mr. Speaker, I thank the Chair for his very kind consideration of offering a bell, but I have already come prepared with a whistle.

The SPEAKER. That whistle can be used every time the Chair must needs be assisted by the Speaker's Page.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 364.

An Act amending the act of June 24, 1937 (P. L. 2051) entitled "Public Assistance Law" revising the act further providing for aid to dependent children and the placing of such children in suitable homes setting standards for suitable homes and establishing children's centers.

Referred to the Committee on Rules.

SENATE BILL No. 663.

An Act amending the act of January 18, 1952 (P. L. 2111) entitled "An act to provide for minimum compensation and increments for administrators and members of the

faculty of State Teachers Colleges providing for leaves of absence imposing certain duties upon the Boards of Trustees and Presidents of State Teachers Colleges and the Superintendent of Public Instruction and repealing inconsistent laws" providing for double increments for certain employees and making an appropriation.

Referred to the Committee on Rules.

SENATE BILL No. 1266.

An Act requiring certain authorities to grant the right to political subdivisions to flush their fire hydrants.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1610.

An Act amending the act of June 29, 1953 (P. L. 300) entitled as amended "An act providing for compliance with Federal law and the approval of certain institutions * * *" abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

HOUSE BILL No. 1611.

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to adoption" by abolishing the advisory committee on adoption standards.

HOUSE BILL No. 1612.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) eliminating the necessity of approval by the State Board of Public Assistance of certain standards rules and regulations.

HOUSE BILL No. 2425.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice to election in certain cases.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1822.

An Act amending the "State Council of Civil Defense Act of 1951" approved March 10, 1951 (P. L. 28) making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR
CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2376.

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes" extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 959.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 959.

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 1099

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1099.

An Act amending "The Professional Nursing Law" approved May 22, 1951 (P. L. 317) providing for biennial registration.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 2319

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of

Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2319.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing for the sale of borough owned electric light plants and the effect thereof.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2461, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) authorizing the retention by the Department of Revenue of portions of funds obtained through proceedings relating to escheatable property and making an appropriation thereof for the payment of compensation fees and expenses.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 725, entitled:

An Act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice prescribing its powers and duties and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "meetings": "and making an appropriation."

Amend Bill, page 2, by inserting after line 13:

"Section 2. In addition to any other appropriation made to the Department of Public Instruction, the sum of forty-two thousand dollars (\$42,000) is hereby appropriated to the Department of Public Instruction for payment of additional travelling expenses of members of county boards of school directors incurred pursuant to the provisions of this amending act."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question.

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1250, entitled:

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—175

| | | | |
|------------|-------------------|-------------------|----------------------|
| Anderson, | Foerster, | Lopresti, | Renwick, |
| Agnew, | Frank, | Lutty, | Riley, |
| Arlene, | Frascella, | McCandless, | Rovanssek, |
| Ashton, | Fulmer, | McCann, | Rudisill, |
| Auker, | Galley, | McDonald, | Sakulsky, |
| Balthaser, | Gallagher, | McInroy, | Scarceili, |
| Barton, | Garlock, | McKeever, | Schaaf, |
| Blair, | Gelfand, | McLaughlin, | Schwartz, |
| Bonner, | Gibb, | Machmer, | Seltzer, |
| Boris, | Goldstein, J. H., | Magee, | Sherman, |
| Bower, | Goldstein, M. H., | Mahan, | Silverman, |
| Bowman, | Goodrich, | Markley, | Snare, |
| Branca, | Gramlich, | Maxwell, | Snider, |
| Breth, | Guthrie, | Meholchick, | Stank, |
| Brown, | Hamilton, | Mihm, | Stevens, |
| Buchanan, | Haudenschild, | Miller, B. Z., | Stewart, |
| Burns, | Heavey, | Miller, H. G., | Stimmel, |
| Capano, | Helm, | Mills, | Stone, |
| Capitolo, | Henzel, | Muldowney, | Stoner, |
| Cianfrani, | Holliday, | Mullen, | Stroupe, |
| Cioffi, | Holt, | Munley, | Sullivan, |
| Clarke, | Irviss, | Murphy, P. J., | Taylor, |
| Comer, | Isaacs, | Murray, H. P., | Thompson, |
| Curwood, | Jenkins, | Murray, J. J., | Tompkins, |
| Davis, | Jim, | Murray, P. G., | Varallo, |
| Dengler, | Johnson, A. W., | Musto, | Varner, |
| Dennis, | Johnson, R., | Naugle, | Verona, |
| Dennison, | Jones, F. R., | Needham, | Wall, |
| Devlin, | Jones, T. H. W., | Nelson, | Walsh, |
| Donahue, | Kamyk, | O'Donnell, J. A., | Wargo, |
| Donaldson, | Kee, | O'Donnell, J. P., | Weidner, |
| Dougherty, | Kernaghan, | Odoriso, | Welsh, |
| Down, | Kessler, | O'Neill, | Whittaker, |
| Edwards, | Knecht, | Parlante, | Williams, A.D., Jr., |
| Ellberg, | Kooker, | Pashley, | Williams, E. S., |
| Eshback, | Korns, | Perry, H. H., | Willard, |
| Eshleman, | Kovolenko, | Perry, P. E., | Wood, |
| Ewing, | Kubitsky, | Petrosky, | Worley, |
| Farabaugh, | Lamb, | Polaski, | Yatron, |
| Fetterolf, | Lee, A. M., | Prendergast, | Yetter, |
| Filo, | Leonard, | Price, | Zimmerman, |
| Fineman, | Light, | Pursley, | Andrews, |
| Floyd, | Limper, | Lippincott, | |
| Flynn, | Lippincott, | | Speaker |

NAYS—7

Fox,
Hocker,

Horst,
Kelser,

Ogilvie,
Shupnik,

Strausser,

NOT VOTING—28

Bell,
Boles,
Brenninger,
Cooper,
Crossin,
George,
Heffner,

Jump,
Kornick,
Lee, K. B.,
Lulgard,
McCormack,
Merry,
Monroe,

Moran,
Murphy, A. J., Jr.,
O'Dell,
Reidenbach,
Royer,
Schuster,
Steckel,

Trusio,
Ujobal,
Wescott,
Wheeler,
Willaredt,
Wilt,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1251, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law" providing that a bond shall be submitted with a bid proposal.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Fox, | Lippincott, | Reibman, |
| Anderson, | Frank, | Lopresti, | Renwick, |
| Arlene, | Frascella, | Lutty, | Rigby, |
| Ashton, | Fulmer, | McCandless, | Riley, |
| Auker, | Galley, | McCann, | Rovanssek, |
| Balthaser, | Gallagher, | McDonald, | Rudisill, |
| Barton, | Garlock, | McCormack, | Sakulsky, |
| Bell, | Gelfand, | McInroy, | Scarceili, |
| Blair, | Gibb, | McKeever, | Schaaf, |
| Bonner, | Goldstein, J. H., | McLaughlin, | Schwartz, |
| Boris, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bower, | Goodrich, | Magee, | Sherman, |
| Bowman, | Gramlich, | Mahan, | Shupnik, |
| Branca, | Guthrie, | Markley, | Silverman, |
| Breth, | Hamilton, | Maxwell, | Snare, |
| Brown, | Haudenschild, | Meholchick, | Snider, |
| Buchanan, | Heavey, | Mihm, | Stank, |
| Burns, | Helm, | Miller, B. Z., | Stevens, |
| Capano, | Henzel, | Miller, H. G., | Stewart, |
| Capitolo, | Hockey, | Mills, | Stimmel, |
| Cianfrani, | Holliday, | Muldowney, | Stone, |
| Cioffi, | Holt, | Mullen, | Stoner, |
| Clarke, | Horst, | Munley, | Stroupe, |
| Comer, | Irviss, | Murphy, P. J., | Sullivan, |
| Curwood, | Isaacs, | Murray, H. P., | Taylor, |
| Davis, | Jenkins, | Murray, J. J., | Thompson, |
| Dengler, | Jim, | Murray, P. G., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Naugle, | Varner, |
| Devlin, | Jones, F. R., | Needham, | Verona, |
| Donahue, | Jones, T. H. W., | Nelson, | Wall, |
| Donaldson, | Kamyk, | O'Donnell, J. A., | Walsh, |
| Dougherty, | Kee, | O'Donnell, J. P., | Wargo, |
| Down, | Kelser, | Odoriso, | Weidner, |
| Edwards, | Kernaghan, | O'Neill, | Welsh, |
| Ellberg, | Kessler, | Parlante, | Whittaker, |
| Eshback, | Knecht, | Pashley, | Williams, A.D., Jr., |
| Eshleman, | Kooker, | Perry, H. H., | Williams, E. S., |
| Ewing, | Korns, | Perry, P. E., | Willard, |
| Farabaugh, | Kovolenko, | Petrosky, | Wood, |
| Fetterolf, | Kubitsky, | Polaski, | Worley, |
| Filo, | Lamb, | Polen, | Yatron, |
| Fineman, | Lee, A. M., | Prendergast, | Yetter, |
| Floyd, | Leonard, | Price, | Zimmerman, |
| Flynn, | Light, | Pursley, | Andrews, |
| Foerster, | Limper, | | Speaker |

NAYS—0

NOT VOTING—26

| | | | |
|-------------|--------------------|-------------|------------|
| Boies, | Kornick, | O'Dell, | Ujobal, |
| Brenninger, | Lee, E. B., | Reidenbach, | Wescott, |
| Cooper, | Luigard, | Royer, | Wheeler, |
| Crossin, | Merry, | Schuster, | Willaredt, |
| George, | Monroe, | Steckel, | Wilt, |
| Heffner, | Moran, | Trusio, | Wynd, |
| Jump, | Murphy, A. J., Jr. | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

Mr. J. J. MURRAY. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1207.

The SPEAKER. The report will lie over for printing under the Rules.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, there are several matters on the calendar that we did not finish caucusing on yesterday. Therefore, I would like permission of the House to hold a Republican caucus for 30 minutes, immediately.

Mr. McCANN. Mr. Speaker, the Democrat Members of the House will not caucus, and during this thirty-minute period they can do whatever they want to do, but we will start immediately upon the return of the Republican House Members. I ask, since we have the hundred Democrats here, that they all be here. We are going to vote on important legislation this afternoon.

The SPEAKER. The Chair hopes that the caucus can be confined within a half hour.

RECESS

The SPEAKER. Without objection, the Chair declares a recess of one-half hour.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The Chair might make an observation of possible interest to the Members. Before we depart we ought to have pictures taken of this Hall showing these piles of books because when you leave you say good-bye to them. They are never going to come back again. Other arrangements will be made that will serve the convenience of the Members of this House without them.

The Chair might observe that it is very possible that in order to serve the convenience of the Members there may be less space along the side aisles.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varrallo for Mr. A. J. MURPHY for today.

SENATE MESSAGE

RECALLING SENATE BILL NO. 1043 FROM GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate of Pennsylvania, December 7, 1959.

Resolved (if the House of Representatives concurs), that Senate Bill No. 1043, Printer's No. 1610, entitled "An act amending the act of May 1, 1907 (P. L. 135) entitled 'An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners, masters and special masters in chancery referees examiners, auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when the parties to such proceedings and repealing an act entitled "An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners, masters, referees, commissioners and auditors authorizing the appointment of assistant stenographers repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May fifteenth, one thousand eight hundred and seventy-four repealing "An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation" approved May eighth, one thousand eight hundred and seventy-six and repealing "An act defining the duty of court stenographers in the several counties in this State" approved June tenth, one thousand eight hundred and eighty-one" approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May, one thousand eight hundred and eighty-seven" further providing for the giving of copies of notes of testimony in criminal cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels, bridges, viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class, second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing certain terms and conditions their construction, maintenance, repair, reconstruction and improvement by the Commonwealth conferring certain powers upon the Department of Highways and local authorities * * * for sharing of the cost * * * of such highways.

The first Article was read.

On the question,

Will the House agree to the Article?

Mr. TOMPKINS. Mr. Speaker, may I make a brief an-

nouncement in order to sort of set some of the folks straight on this highway bill? The interrogation of Mr. Comer will relate to the amendments that are going in and perhaps will settle the problems of a lot of those who have been asking questions.

Mr. Speaker, House Bill 2459, is better known as the omnibus bill. There are a great number of amendments which Members desire to offer to this bill. It is my understanding that requests were filed with the Chairman of the Highway Committee for a number of roads by a number of Members, copies of which are in possession of the Chairman of the Highway Committee, and among which are a great number which were not incorporated as a part of the omnibus bill. Is that right, Mr. Speaker?

Mr. COMER. That is correct.

Mr. TOMPKINS. Now, does the gentleman have on file the requests which all of the Members filed with you?

Mr. COMER. That is correct.

Mr. TOMPKINS. If the Members should come to your office at a time to be fixed by you could they pick up those requests and get clearance with you to offer the amendments in a package rather than flood the Legislative Reference Bureau with requests for those amendments?

Mr. COMER. Mr. Speaker, as I believe we agreed, I do have all the requests that were offered by the Members, and if we are going to proceed along these lines as far as all requests were placed I would suggest that my office make the amendments rather than the reference Bureau, because on these requests many of them were not accurate and had to be checked out with the Highway Department and District Engineer for correct descriptions. In other words, if a Member takes one of his own descriptions to the Reference Bureau and has it drawn up it will only make another error in the bill, which we are trying to avoid.

Mr. TOMPKINS. Well, does the gentleman have in his possession a correct description of all the requests which have been filed?

Mr. COMER. I do, Mr. Speaker.

Mr. TOMPKINS. Could the various Members then come to the gentleman's office and check them out further with him and have him incorporate them into his package of amendments?

Mr. COMER. They could, Mr. Speaker.

Mr. TOMPKINS. There are some who have requests which were never filed with the gentleman's Committee. What should those people do with their proposed amendments? Should they bring them to the gentleman's office, too, in order that they could be checked out to be incorporated in the same manner?

Mr. COMER. That description, Mr. Speaker, of those that never were filed, they would have to give me some idea, and many of them are 'way off base, and they would have to be sent to the Highway Department, who in turn would send them to the District Engineer in their districts, which could take three, four, five days, a week.

Mr. TOMPKINS. Well, do I understand then that so far as requests which have been filed, if they come to the gentleman's office he will be glad to go over those requests with them and then incorporate them as part of his package of amendments?

Mr. COMER. Those that are on file, yes, Mr. Speaker. If I may interrupt Mr. Tompkins, I might suggest if the Members have any that have not been filed, I would sug-

gest that when they get back home this week they get an accurate description from the Highway Office, bring them in—

The SPEAKER. The Chair recognizes the Majority Leader to whom the gentleman from Philadelphia has yielded.

Mr. McCANN. Mr. Comer, I did not understand anything about that in our conference, about the people going to go home this week end and get amendments ready. If I understood correctly, the Senate has agreed to work so many days next week, this bill would be finished and be amended tomorrow, Wednesday. You would pass it on Monday, it goes right on through. If you are going to amend on Monday and Tuesday, the answer is "No."

Mr. COMER. Mr. Speaker, may I interrogate the Majority Leader?

Mr. McCANN. I mean there is no interrogation. I do not believe I misunderstood the conference that Mr. Johnson, Mr. Helm, Mr. Bower, Mr. Tompkins, you and I, were in about amendments, but I believe the amendments were to be finished by tomorrow.

Mr. COMER. That is correct, Mr. Speaker, with those that have been filed, but a question was raised and what is the position I am supposed to take with a request that was never filed, where it will take anywhere from four days to a week. Should I answer Mr. Tompkins by saying forget about it?

The SPEAKER. Will the House be at ease until the leaders have clarified the procedure. So far a very admirable job has been done in straightening out procedures.

Mr. TOMPKINS. Mr. Speaker, further interrogation of the gentleman from Philadelphia, Mr. Comer, you have on file a great number of requests from Members which are not incorporated as a part of this present bill, is that right?

Mr. COMER. That is right.

Mr. TOMPKINS. Those requests have all been checked out, is that right?

Mr. COMER. That is correct.

Mr. TOMPKINS. And if these Members will come to your office at a time to be fixed by you, you will pull out of your files their particular requests and work on their requests as a part of your package amendment, is that right?

Mr. COMER. That is right.

Mr. TOMPKINS. If a Member presently has some that were never filed with you, but have been checked out, they should clear them with you also, is that right?

Mr. COMER. That is right.

Mr. TOMPKINS. Those who have requests which have not been checked out, it will be impossible to incorporate them in your package amendment, is that right?

Mr. COMER. That is right.

Mr. TOMPKINS. That will have to be taken care of, then, in the Senate, when the bill gets over there.

Mr. COMER. That is right.

Mr. TOMPKINS. Mr. Speaker, may I ask what time the gentleman will fix when Members may come to his office and see him and get this matter ironed out?

Mr. COMER. I would have to ask the Majority Leader what the schedule is for this afternoon.

Mr. McCANN. Mr. Speaker, I think that is proper on that part. The gentleman will have to use the time tonight and in the morning. This House will convene tomorrow

at 10:00 a. m. I want the gentleman to finish the work during the night, following the Session, and in the morning from 8:30 a. m. until 10:00 a. m.

Mr. COMER. Mr. Speaker, that will be working a little close there.

Mr. McCANN. We do not have many days left. We all want to go home.

Mr. COMER. May I suggest then that we open the Session tomorrow at 11:00 o'clock. This is a lot of work.

Mr. McCANN. Mr. Speaker, for the purpose of getting this bill finished, I will go along with convening this House at 11:00 a. m., but they must work tonight as well as tomorrow morning.

Mr. COMER. Mr. Speaker, may I suggest that I go down to the office now and start taking the Member's requests.

Mr. TOMPKINS. Then, Mr. Speaker, do I understand that the gentleman will be in his office beginning now and will run through until—not all night I suspect—but he will be there at 11:00 o'clock tomorrow? Anything that is not cleared with the gentleman by that time, by the Members coming to him, will not then be incorporated as an amendment in this bill.

Mr. COMER. I would suggest that all the Members get down there by 7:00 o'clock this evening. There is quite a bit of work attached to making these up.

Mr. TOMPKINS. Are there any questions on the part of any of the Members now, any Member who do not clearly understand what this situation is?

On the question recurring,

Will the House agree to Article I?

It was agreed to.

The second to sixth Articles inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Mr. LOPRESTI IN THE CHAIR.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 446.

An Act relating to the legitimacy of children born of void or voidable marriages.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, by striking out after the word "cases" the words "of a" and inserting in lieu thereof the following: "where a supposed or alleged marriage is contracted which is absolutely void by reason of one of the parties thereto having a spouse living at the time of the supposed or alleged marriage or if for any other lawful reason the said marriage was"; line 6, by striking out after the word "voidable" the word "marriage" and inserting in lieu thereof the words "when contracted"; page 2, line 1, by striking out after the word "to" the words "the parties of such void or voidable marriage" and inserting in

lieu thereof the words "such parties"; line 3, by striking out after the word "parties" the words "of such void or voidable marriage."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. SHERMAN. Mr. Speaker, I rise to oppose any requests for concurrence in Senate amendments to House Bill 446.

This bill was previously considered both by the House and by the Senate. At the time it was considered I raised certain objections in the House, mainly that the bill was morally objectionable, and cited a good many reasons therefor.

This bill has been amended by the Senate, and the Senate amendments do not improve the bill one iota. In my opinion it subjects the bill and will subject the people, I claim, to open prostitution. The bill now has been greatly broadened and provides that when any alleged marriage is absolutely void—not void or voidable, but absolutely void—by reason of one of the parties already having another spouse living at the time of the alleged or supposed marriage, all children born to such parties shall be deemed legitimate children of both parties.

That, Mr. Speaker, may be legal phraseology, but let us put it more simply and state this: Where a man has a legitimate spouse living and knows that the legitimate spouse is alive and well, and a woman has a legitimate spouse alive and that woman knows that legitimate spouse is living, and those people, perhaps to deceive a person, or for any other purpose, enter into a supposed or alleged marriage which is absolutely void, the children born thereof shall be deemed legitimate.

This bill I claim is morally objectionable. It encourages parties who have a legal husband or wife, with open knowledge of said fact, and without any evidence of good faith on the part of either, to live together in open lewdness and public indecency and to bear children in open defiance of marital responsibilities and relationships, and at the same time for them to tell the world, the devil with all decent moral relationships and decent marriages entered into in good faith.

Children born of these illegitimate and indecent relationships deprive legitimate children of one-third to one-half of their property rights. Call it what you will, I say it is wrong, immoral and indecent. The door is open for men and women to live in prostitution in open defiance of decent conduct and proper relationship. For that reason I oppose concurrence.

On the question recurring,

Will the House concur in the amendments made by the Senate?

YEAS—129

Agnew,
Anderson,
Auker,
Balthaser,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Breth,
Buchanan,

Fineman,
Flynn,
Fox,
Frank,
Frascella,
Fulmer,
Galley,
Garlock,
Gelfand,
Gibb,
Goodrich,
Gramlich,

Lulgard,
Lutty,
McCandless,
McCann,
McDonald,
McInroy,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,

Sakulsky,
Scarcelli,
Seltzer,
Shupnik,
Snare,
Snider,
Stank,
Stevens,
Stewart,
Stimmel,
Stone,
Strausser,

Burns,
Capitolo,
Clanfrani,
Cioffi,
Clarke,
Comer,
Curwood,
Davis,
Dengler,
Dennis,
Dennison,
Devlin,
Donaldson,
Dougherty,
Down,
Edwards,
Eshback,
Ewing,
Farabaugh,
Filo,

Guthrie,
Haudenschild,
Heavy,
Helm,
Hocker,
Holliday,
Horst,
Irvis,
Jenkins,
Kamyk,
Keiser,
Kernaghan,
Kessler,
Knecht,
Korna,
Kubitsky,
Lamb,
Lee, K. B.,
Leonard,
Limper,
Lopresti,

Meholchick,
Mihm,
Mills,
Munley,
Murray, H. P.,
Murray, J. J.,
Musto,
Naugle,
Needham,
Nelson,
O'Donnell, J. A.,
Perry, H. H.,
Petrosky,
Polaski,
Polen,
Prendergast,
Pursley,
Reibman,
Renwick,
Rovanseck,

Thompson,
Tompkins,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Wilt,
Worley,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—59

Arlene,
Ashton,
Barton,
Branca,
Brown,
Capano,
Donahue,
Ellberg,
Eshleman,
Fetterolf,
Floyd,
Foerster,
Gallagher,
Goldstein, J. H.,
Goldstein, M. H.,

Hamilton,
Henzel,
Holt,
Isaacs,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Kee,
Kooker,
Kovolenko,
Lee, A. M.,
Light,
Lippincott,

McCormack,
McKeever,
Miller, B. Z.,
Miller, H. G.,
Muldowney,
Mullen,
Murphy, P. J.,
Murray, P. G.,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, P. E.,

Price,
Rigby,
Riley,
Rudisill,
Schaaf,
Schwartz,
Sherman,
Silverman,
Stoner,
Stroup,
Sullivan,
Taylor,
Welsh,
Wood,

NOT VOTING—22

Boles,
Brenninger,
Cooper,
Crossin,
George,
Heffner,

Jump,
Kornick,
Merry,
Monroe,
Moran,
Murphy, A. J., Jr.

O'Dell,
Reidenbach,
Royer,
Schuster,
Steckel,

Trusio,
Ujobal,
Wheeler,
Willardt,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1322.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County providing for its restoration improvement future care and maintenance as an historical site and making an appropriation

Whereas the Wolf Academy located near Bath in East Allen Township Northampton County was named in honor of George Wolf the seventh Governor of Pennsylvania and founder of the public school system of this State who was reared immediately adjacent thereto and educated therein and

Whereas this native stone structure constructed in the year 1785 provided the fine academic training necessary to enable George Wolfe to become one of the most outstanding citizens in our early Commonwealth and to serve in such capacities as a member of the House of Representatives Congressman and Governor and

Whereas the Wolf Academy is one of the earliest of our historical landmarks of which there are too few in an

area so rich with historical lore being one of the early structures erected in the first settlement of white people in Northampton County and

Whereas this little stone school house which is the only physical monument to George Wolf that early day statesman who contributed so greatly toward the education and development of this Commonwealth is in a very sad state of repair and faces the possibility of forever being lost to us as an historical structure unless funds are made available for its purchase.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 7 by striking out the words and numerals "twenty-five thousand dollars (\$25,000)" and inserting in lieu thereof the words and numerals "ten thousand dollars (\$10,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Agnew,
Anderson,
Arlene,
Ashton,
Baithaser,
Barton,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Breth,
Brown,
Buchanan,
Burns,
Capano,
Capitolo,
Clanfrani,
Cioffi,
Clarke,
Comer,
Curwood,
Davis,
Dengler,
Dennis,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Ellberg,
Eshback,
Eshleman,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,

Flynn,
Foerster,
Fox,
Frank,
Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Gelfand,
Gibb,
Goodrich,
Goldstein, M. H.,
Gramlich,
Guthrie,
Hamilton,
Haudenschild,
Heavy,
Helm,
Henzel,
Hocker,
Holt,
Horst,
Irvis,
Jenkins,
Jim,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Kamyk,
Kee,
Keiser,
Kernaghan,
Kessler,
Knecht,
Korns,
Kovolenko,
Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,

Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCann,
McCormack,
McDonald,
McInroy,
McKeever,
McLaughlin,
Machmer,
Mahan,
Markley,
Maxwell,
Meholchick,
Mihm,
Mills,
Muldowney,
Mullen,
Munley,
Murphy, P. J.,
Murray, J. J.,
Murray, P. G.,
Musto,
Naugle,
Needham,
Nelson,
O'Donnell, J. A.,
O'Donnell, J. P.,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Reibman,
Renwick,

Rigby,
Riley,
Rovanseck,
Rudisill,
Sakulsky,
Scarcelli,
Schaaf,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snare,
Snider,
Stank,
Stevens,
Stewart,
Stimmel,
Stone,
Strausser,
Sullivan,
Taylor,
Thompson,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weidner,
Welsh,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Wilt,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—21

Auker,
Ewing,
Goldstein, J. H.,
Holliday,
Isaacs,
Johnson, A. W.,

Kooker,
Light,
McCandless,
Magee,
Miller, B. Z.,

Miller, H. G.,
Murray, H. P.,
Odorisio,
Ogilvie,
Pursley,

Stoner,
Stroup,
Tompkins,
Wood,
Worley,

NOT VOTING—22

| | | | |
|-------------|--------------------|-------------|------------|
| Botes, | Jump, | O'Dell, | Trusio, |
| Brenninger, | Kornick, | Reidenbach, | Ujobal, |
| Cooper, | Merry, | Royer, | Wheeler, |
| Crossin, | Monroe, | Schuster, | Willaredt, |
| George, | Moran, | Steckel, | Wynd, |
| Heffner, | Murphy, A.J., Jr., | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1473.

An Act amending the act of June 28 1947 (P. L. 1110) entitled "An act defining and regulating certain installment sales of motor vehicles prescribing the conditions under which such sales may be made and regulating the financing thereof regulating and licensing persons engaged in the business of making or financing such sales prescribing the form contents and effect of instruments used in connection with such sales and the financing thereof prescribing certain rights and obligations of buyers sellers persons financing such sales and others limiting incidental charges in connection with such instruments and fixing maximum interest rates for delinquencies extensions and loans regulating insurance in connection with such sales regulating repossessions redemptions resales and deficiency judgments and the rights of parties with respect thereto authorizing extensions loans and forbearances related to such sales authorizing investigations and examinations of persons engaged in the business of making or financing such sales prescribing penalties and repealing certain acts" permitting payment of time balances in amounts varying with the expected income of the buyer.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 8, by striking out after the word "income" the following: "but no such contract providing for varying amounts of payment shall be made until the buyer shall have delivered to the seller a sworn statement of the known cause aforesaid."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

| | | | |
|------------|------------|-------------|------------|
| Agnew, | Frank, | Lugard, | Rigby, |
| Anderson, | Frascella, | Lutty, | Riley, |
| Arlene, | Fulmer, | McCandless, | Rovansek, |
| Ashton, | Galley, | McCann, | Rudisill, |
| Auker, | Gallagher, | McCormack, | Sakulsky, |
| Balthaser, | Garlock, | McDonald, | Scarcelll, |
| Barton, | Gelfand, | McInroy, | Schaaf, |
| Bell, | Gibb, | McKeever, | Schwartz, |
| Blair, | Goldstein, | McLaughlin, | Seltzer, |
| Bonner, | Goodrich, | McChmer, | Sherman, |
| Boris, | Gramlich, | Magee, | Shupnik, |

| | | | |
|------------|------------------|-------------------|----------------------|
| Bower, | Guthrie, | Mahan, | Silverman, |
| Bowman, | Hamilton, | Markley, | Snare, |
| Branca, | Haudenshield, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Brown, | Helm, | Mihm, | Stevens, |
| Buchanan, | Henzel, | Miller, B. Z., | Stewart, |
| Burns, | Hocker, | Miller, H. G., | Stimmel, |
| Capano, | Holliday, | Mills, | Stone, |
| Capitolo, | Holt, | Muldowney, | Stoner, |
| Cianfrani, | Horst, | Mullen, | Strausser, |
| Cioffi, | Irvis, | Munley, | Sullivan, |
| Clarke, | Isaacs, | Murphy, P. J., | Taylor, |
| Comer, | Jenkins, | Murray, H. P. | Thompson, |
| Curwood, | Jim, | Murray, J. J., | Tompkins, |
| Davis, | Johnson, A. W., | Murray, P. G., | Varallo, |
| Dengler, | Johnson, R., | Musto, | Varnar, |
| Dennis, | Jones, F. R., | Naugle, | Verona, |
| Dennison, | Jones, T. H. W., | Needham, | Wall, |
| Devlin, | Kamyk, | Nelson, | Walsh, |
| Donahue, | Kee, | Parlante, | Wargo, |
| Donaldson, | Kelser, | O'Donnell, J. A., | Weidner, |
| Dougherty, | Kernaghan, | O'Donnell, J. P., | Welsh, |
| Down, | Kessler, | Odorisio, | Wescott, |
| Edwards, | Knecht, | Ogilvie, | Whittaker, |
| Elberg, | Kooker, | O'Neil, | Williams, A.D., Jr., |
| Eshback, | Korns, | Pashley, | Williams, E. S., |
| Eshleman, | Kovolenko, | Perry, H. H., | Willard, |
| Ewing, | Kubitsky, | Perry, P. E., | Wilt, |
| Farabaugh, | Lamb, | Petrosky, | Wood, |
| Fetterolf, | Lee, A. M., | Polaski, | Worley, |
| Filo, | Lee, K. B., | Polen, | Yatron, |
| Fineman, | Leonard, | Prendergast, | Zimmerman, |
| Floyd, | Light, | Price, | Yetter, |
| Flynn, | Limper, | Pursley, | Andrews, |
| Foerster, | Lippincott, | Reibman, | Speaker |
| Fox, | Lopresti, | Renwick, | |

NAYS—1

Stroup,

NOT VOTING—22

| | | | |
|-------------|--------------------|-------------|------------|
| Botes, | Jump, | O'Dell, | Trusio, |
| Brenninger, | Kornick, | Reidenbach, | Ujobal, |
| Cooper, | Merry, | Royer, | Wheeler, |
| Crossin, | Monroe, | Schuster, | Willaredt, |
| George, | Moran, | Steckel, | Wynd, |
| Heffner, | Murphy, A.J., Jr., | | |

The majority required by the Constitution having voted in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1981.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for the deposit of cash or a bond with sufficient surety upon petition for the reconvening of a voting machine and prescribing the procedure therefor.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 4, by striking out after the word "in" the word "a" and inserting in lieu thereof the word "the"; line 5, by inserting after the word "machine" the words "or voting machines of an election district"; line 8, by striking out after the word "of" where it appears the second time the word and figure "five (\$5)" and inserting in lieu thereof the word and figures "fifty (\$50)"; line 10 by striking out after the word "of" the word and figures "ten (\$10)" and inserting in lieu thereof the words and figures "one hundred (\$100)"; line 12, by striking out after the word "of" where it appears the third time the word and figure "five (\$5)" and inserting in lieu thereof the word and figures "fifty (\$50)"; line 14 by inserting after the word "machine" the words "or voting machines"; page 4, line 10, by striking out after the word "of" the word and figure "five (\$5)" and inserting in lieu thereof the word and figures "fifty (\$50)"; line 18, by striking out after the word "of" the word and figure "five (\$5)" and inserting in lieu thereof the word and figures "fifty (\$50)"; page 5, line 4, by striking out after the word "of" the word and figures "ten (\$10)" and inserting in lieu thereof the words and figures "one hundred (\$100)"; line 7, by striking out at the beginning of the line the word and figure "five (\$5)" and inserting in lieu thereof the word and figures "fifty (\$50)"; line 9, by striking out after the word "of" the word and figure "five (\$5)" and inserting in lieu thereof the word and figures "fifty (\$50)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provision of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Frascella, | Lutty, | Rigby, |
| Anderson, | Fulmer, | McCandless, | Riley, |
| Arlene, | Galley, | McCann, | Rovanske, |
| Ashton, | Gallagher, | McCormack, | Rudisill, |
| Auker, | Garlock, | McDonald, | Sakulsky, |
| Balthaser, | Gelfand, | McInroy, | Scarcelli, |
| Bell, | Gibb, | McKeever, | Schaaf, |
| Blair, | Goldstein, J. H., | McLaughlin, | Schwartz, |
| Bonner, | Goldstein, M. H., | Machmer, | Seltzer, |
| Boris, | Goodrich, | Magee, | Sherman, |
| Bower, | Gramlich, | Mahan, | Shupnik, |
| Bowman, | Guthrie, | Markley, | Silverman, |
| Branca, | Hamilton, | Maxwell, | Snare, |
| Breth, | Heavey, | Meholchick, | Snider, |
| Brown, | Helm, | Mihm, | Stank, |
| Buchanan, | Henzel, | Miller, H. G., | Stevens, |
| Burns, | Hocker, | Mills, | Stewart, |
| Capano, | Holliday, | Muldowney, | Stimmel, |
| Capitolo, | Holt, | Mullen, | Stone, |
| Cianfrani, | Irvis, | Munley, | Stoner, |
| Cioffi, | Isaacs, | Murphy, P. J., | Strausser, |
| Clarke, | Jenkins, | Murray, H. P., | Stroup, |
| Comer, | Jim, | Murray, J. J., | Sullivan, |
| Curwood, | Johnson, A. W., | Murray, P. G., | Taylor, |
| Dengler, | Johnson, R., | Naugle, | Tompkins, |
| Dennis, | Jones, F. R., | Needham, | Varallo, |
| Dennison, | Jones, T. H. W., | Nelson, | Varnier, |
| Devlin, | Kamyk, | Parlante, | Verona, |
| Donahue, | Kee, | O'Donnell, J. A., | Wall, |
| Donaldson, | Keiser, | O'Donnell, J. P., | Walsh, |
| Dougherty, | Kernaghan, | Odoristo, | Wargo, |
| Down, | Kessler, | Ogilvie, | Welsh, |
| Ellberg, | Knecht, | O'Neill, | Wescott, |
| Eshback, | Korna, | Pashley, | Whittaker, |
| Eshleman, | Kovolenko, | Perry, H. H., | Williams, A. D., Jr., |
| Ewing, | Kubitsky, | Perry, P. E., | Williams, E. S., |
| Farabaugh, | Lamb, | Petrosky, | Willard, |
| Filo, | Lee, K. B., | Polaski, | Wilt, |
| Fineman, | Leonard, | Polen, | Wood, |
| Floyd, | Light, | Prendergast, | Worley, |
| Flynn, | Limper, | Price, | Yatron, |
| Foerster, | Lippincott, | Pursley, | Yetter, |
| Fox, | Lopresti, | Reibman, | Zimmerman, |
| Frank, | Luigard, | Renwick, | Andrews, |

Speaker

NAYS—12

Barton,
Davis,
Edwards,

Fetterolf,
Haudenschild,
Horst,

Kooker,
Lee, A. M.,
Miller, B. Z.,

Musto,
Thompson,
Weidner,

NOT VOTING—22

Boles,
Brenninger,
Cooper,
Crossin,
George,
Heffner,

Jump,
Kornick,
Merry,
Monroe,
Moran,
Murphy, A. J., Jr.

O'Dell,
Reidenbach,
Royer,
Schuster,
Steckel,

Trusio,
Ujobal,
Wheeler,
Willardt,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2150.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence due to underground mining of coal.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 6, by inserting after the word "subsidence" the following: "due to underground mining of anthracite coal."

Amend Section 1, page 2, line 10, by inserting after the word "mining" the words "of anthracite or bituminous coal"; page 2, line 14, by striking out the following "Moneys in said fund shall be used only in those instances where liability for said subsidence cannot be established and enforced Moneys may be used for all necessary expenses to establish and enforce liability through investigations and court actions."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. A. W. JOHNSON. Mr. Speaker, I have just made a hasty restudy of this bill.

As I understand it, when the bill left the House it was Printer's No. 1848 and it provided for money for subsidence due to underground mining. On second reading in the Senate it was amended "underground mining of anthracite coal." Then on third reading in the Senate it was amended "underground mining of anthracite or bituminous coal."

I was just wondering whether we were at odds with the Senate on this bill. We sent it over that it would apply

to all underground mining, now the Senate says anthracite or bituminous coal.

May I interrogate the Majority Leader and ask him just what is now wrong with the bill? The bill is now really the way it was when it left the House, underground mining would cover anthracite or bituminous coal.

If you will refer to Printer's No. 1848 of the bill when it left the House, I believe it just covers underground mining. I am addressing this personally to the Majority Leader, is that not correct?

Mr. McCANN. Mr. Speaker, the gentleman is correct. The title when it left the House—said buildings damaged by subsidence.

Mr. A. W. JOHNSON. In the bill, in the body of the bill I believe on page 2, line 10, it says "subsidence due to underground mining."

Mr. McCANN. When the bill left the House, Mr. Speaker, on line 10 it read "due to underground mining." The Senate added "of anthracite or bituminous coal" in amendments offered in the Senate.

Mr. A. W. JOHNSON. Mr. Speaker, may I ask the Majority Leader, is that an appreciable change, because underground mining could cover slate or could cover other minerals but the Senate has nailed down and restricted it to anthracite or bituminous coal. What are you objecting to in the bill, that you do not want us to concur in those amendments?

Mr. McCANN. Mr. Speaker, I do and I think our explanation will be clear.

When House Bill 2150 was here, the said bill was devised by the anthracite representatives along with the Senator from Luzerne County who discussed this bill in my office.

This particular piece of legislation pertained in their discussion to anthracite mining. Although it did not read clearly anthracite, if you will turn to the title you find that the Act applied to counties of the third, fourth, fifth, sixth, seventh and eighth class. The county in the second class, Allegheny, is in the bituminous field. It has subsidence but was not covered in the bill. I believe it was agreed that this bill pertained to anthracite at that discussion. The amendments offered in the Senate made it absolutely clear that it was dealing only with underground mining of coal both in anthracite and bituminous.

We have no basic objection to the underground mining of coal because there are limestone mines and slate mines, all of these are underground mines, but we do object to the amendments that make it absolutely clear that it includes bituminous fields.

I will give it to you in this way. In Washington County which is a bituminous county, one township is Peters Township which adjoins Allegheny County on the borderline. Most of the people in this county came from Allegheny when they moved to the area. Subsidence is existing in that township. Even though the subsidence in Peters Township stops at the county line as far as this bill is concerned, the subsidence does not stop there, it crosses over into Allegheny County but the Washington County Commissioners, for example, would be asked by the residents of Peter's Township in Washington County, to impose a one mill tax for subsidence in Peter's Township, Washington County. However, if your house was

across the line in Allegheny County, they could not do this because it is not in this proposed legislation. Until we find a way to resolve this in the bituminous field we ask that you agree to non-concur.

We wholeheartedly support the position of the anthracite people, if this is what they want but we ask bituminous people to be clearly refrained or removed from the bill as far as subsidence is concerned because of underground bituminous coal mining.

Mr. A. W. JOHNSON. Mr. Speaker, in other words what your objective is you want to change the bill from the way it was when it left the House, it covered all types of underground mining, which would cover the iron ore mines at Cornwalls. You want the bill restricted to just anthracite mines. Is that correct?

Mr. McCANN. Anthracite, underground mining. I do not know enough about the anthracite field, but the bill left the House without our checking closely enough. The way it was written, Mr. Speaker, it covered every type of mining underground. We, in order to correct it in a Conference Committee, the Senate has agreed that they will go along to make it clear, that we will take care of the anthracite coal field in underground mining of anthracite, period.

Mr. A. W. JOHNSON. I thank the gentleman.

Mr. Speaker, the purpose of the interrogation was to make it clearer to those who are interested in the bill, who perhaps come from bituminous mine fields where they have subsided, as to just what the bill now provides, and I believe that you should vote your district on this bill. If you want your county commissioners to be allowed to levy one mill to rip out the subsidence in bituminous mines you should vote to concur in the Senate amendments. If you want to restrict it to the anthracite fields you should vote to non-concur and put it in a Conference Committee.

Personally, I think the bill is all right the way it is and I intend to vote to concur in the amendments offered by the Senate.

Mr. McCANN. I will ask the Membership of this House to support my position of nonconcurring in the amendments.

As the interrogation clearly brought out here, we want to give to the anthracite fields that which they have requested, and we ask that they leave the bituminous field alone because we cannot find the answer in our second class county as well as our other classes of counties.

In the county of Greene, the county I represent, we have some subsidence. Our commissioners have asked as a matter of record that at the present time we do not include the bituminous field, including my county, until they have had an opportunity to meet this problem a little differently in the bituminous field.

I ask that you support our position of nonconcurring on House Bill 2150.

On the question recurring,

Will the House agree to the motion?

A division was called for, one hundred and two Members having voted in the affirmative and fifty-four in the negative, the question was determined in the affirmative, and the amendments were nonconcurrent in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2338.

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" to define certain terms to modify eligibility and disqualification provisions payments and rates of compensation to revise and increase rates of contribution to limit scope of contribution appeals and to repeal certain provisions concerning employees under Shipping Articles.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section, page 5, line 17, by striking out after the word "dollars" the word "his" and inserting in lieu thereof the words "the maximum"; line 19 by striking out after the letter "(d)" the words "and not disqualified under section 402 (f) Provided however That an" and inserting in lieu thereof the following: "(2) An"; page 6, line 3, by inserting after the word "during" the words "the last fifty-one weeks of"; line 9, by striking out after the word "not" the word "less" and inserting in lieu thereof the word "more"; Section 2, page 7, line 9, by striking out after the word "and" the following "paragraph (2) of"; line 15, by striking out after the word "hundred" the words "fifty-five" and inserting in lieu thereof the word "sixty"; line 16, by striking out after the word "to" the words "two and seven-tenths" and inserting in lieu thereof the word "four"; line 18 by removing bracket after the word "rate" and before the word "shall"; line 18, by striking out after the word "of" the words "five-tenths" and inserting in lieu thereof the words "one-tenth"; line 19, by striking out after the word "of" the words "two and seven-tenths" and inserting in lieu thereof the word "four"; page 8, line 1, by striking out after word "the" the word "following"; line 2 by striking all of lines 2 to 7 inclusive, as follows "[this section as hereby amended if the employer has paid contributions under this act for one or more quarters in each of three twelve-month periods ending on the computation date for the year for which the rate is applicable and has also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such three twelve-month periods]" and inserting in lieu thereof the following: "section three hundred one point one of this act."

Page 8, line 9, by striking out lines 9 to 19 inclusive, as follows: "[And provided further effective with respect to contribution rates for calendar years beginning January one one thousand nine hundred fifty-six employers shall for the purpose of being considered for reduced contribution rates be grouped as follows

"Group 1 shall consist of those employers who have paid contributions under this act for one or more quarters in

the twelve-month period ending on the computation date for the year for which the rate is applicable and have also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such twelve-month period.

"Group 2 shall consist of employers who have paid contributions.]"

Page 9, by striking out lines 1 to 11 inclusive, as follows: "[under this act for one or more quarters in each of the two twelve-month periods ending on the computation date for the year for which the rate is applicable and have also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such twelve-month periods.

"Group 3 shall consist of employers who have paid contributions under this act for one or more quarters in each of the three twelve-month periods ending on the computation date for the year for which the rate is applicable and have also paid contributions under this act for one or more of the first four of the last five calendar quarters immediately preceding such three twelve-month periods."

Page 9, line 15, by striking out after "Group 1" the following: "sixty and each calendar year thereafter on wages paid by him for employment at a rate as determined under the provisions of section 301.1 of this act Provided however That such rate shall not be in excess of four per centum or less than one-tenth of one per centum on such wages. The contribution rate of any employer not eligible for consideration for a reduced rate of contributions for the calendar year beginning January one one thousand nine hundred sixty and any calendar year thereafter shall be the maximum rate of contributions in effect for such year.

"The department shall on or before the 31st day of March of each calendar year publish the maximum and minimum rates of contribution in effect for such calendar year."

Page 10, line 8, by striking out at the beginning of the line the word "(And)"; line 9, by striking out after the word "centum" the words "the maximum contribution rate for such calendar year as determined under the provisions of section 301.1 of this act" and inserting in lieu thereof the words "four per centum"; page 11, line 4, by inserting after the letter "(e)" the following: "(3) An employer whose reserve account balance is adjusted to zero in accordance with the provisions of Section 302 (h) of this act shall not be eligible for a reduced rate of contributions under the provisions of this act for the three consecutive calendar years following the computation date with respect to which the application for adjustment was made and shall pay contributions at the rate of four per centum for each of such three calendar years in the event an employer shall file one or more subsequent applications for adjustment the provisions of this subsection shall apply to each such application."

Page 19, by inserting the following: "(3) A successor-in-interest who subsequent to the first day of January one thousand nine hundred sixty acquires from a preceding employer the whole or a part of a reserve balance which has been adjusted to zero under the provisions of section 302 (h) of this act shall be liable for contributions at the maximum rate of four per centum under the provisions of Section 301 (a) (3) of this act in the same manner as the preceding employer with respect to the part of the organization trade or business transferred this provision shall not apply if the successor-in-interest as of any computation date has been subject to this act for fourteen or more consecutive calendar quarters or has been subject to this act for a period as long as or longer than the preceding employer.

* * *

"(e) (1) [The] with respect to benefits paid during benefit years which begin prior to July one one thousand nine hundred sixty the department at least one during each calendar quarter shall furnish each employer with a notice showing the amount of compensation paid during the preceding calendar quarter and charged to such employer's account including the names of the claimants the weeks for which compensation was paid and the amount of compensation charged with respect to benefits paid

during benefit years which commence on or after July one one thousand nine hundred sixty the department at least once during each calendar month shall furnish each employer with a notice showing the amount of compensation paid during the preceding month and charged to such employer's account such notice shall include at least the name and social security account number of each claimant the weeks for which compensation was paid to him and the amount of compensation charged all questions involving the eligibility of a claimant to receive compensation which have been resolved with notice to the employer as provided under the provisions of section five hundred one of this act shall remain final and such eligibility may not be directly contested by an employer under the provisions of this section however any determination of eligibility or allowance of benefits as to which the employer was not furnished notice under the provisions of section five hundred one of this act shall become final unless a protest contesting such determination is filed by the employer with the department within ninety (90) days from the date of the mailing of notice under the provisions of this subsection where such protest has been filed the department shall proceed in accordance with the provisions of section five hundred one and furnish the employer with notice of its determination or allowance the clerical accuracy of the notice provided under the provisions of this subsection may not be contested by an employer in connection with any future appeal by the employer from the rate of contribution assigned to him unless within ninety days from the date of mailing of such notice the employer files with the department a protest in writing contesting the clerical accuracy of such notice and setting forth in detail the item or items to which exception is taken and the reasons therefor such period of ninety days may be extended with the approval of the department upon written application by the employer filed prior to the expiration of such period."

Page 22, line 18, by striking out the brackets before and after the word "this" at the beginning of the line; line 18, by inserting after the word "section" the words "and section"; Section 3, page 24, line 7, by inserting after the word "employer" the words "eligible for an adjusted rate"; line 16, by striking out after the word "employer's" the words "funding factor" and inserting in lieu thereof the words "eligibility for an adjusted rate"; page 27, line 11, by striking out the following: "whose employment experience is insufficient to classify him in Group 1 or of an employer"; page 28, line 2, by striking out after the word "section," the following: "The Experience Factor of an employer who has not paid contributions under this act for one or more quarters in the twelve month period ending on the computation date for the year for which a rate is applicable and has not paid contributions under this act for one or more of the first four (4) of the last five (5) calendar quarters immediately preceding such twelve-month period shall be three per centum."

Page 28, line 15, by inserting after the word "centum" the words "but in no event in excess of one per centum"; page 29, line 6, by inserting after the word "factor" the following: "Plus (d) the aggregate amount by which the contributions estimated to be due under the State Adjustment Factor for the calendar year 1961 and any year thereafter was in excess of one per centum of the total wages for such calendar year."

Page 29, line 12, by striking out after the word "of" the letter "(D)" and inserting in lieu thereof the letter "(A)"; line 13, by striking out after the word "plus" the letter "(E)" and inserting in lieu thereof the letter "(B)"; line 15, by striking out after the word "plus" the letter "(F)" and inserting in lieu thereof the letter "(C)"; line 15, by striking out after the second word "plus" the letter "(G)" and inserting in lieu thereof the letter "(D)"; line 19, by inserting after the word "date" the words "except that item (d) under factor BDR shall be computed on a calendar year basis"; page 30, line 7, by inserting after the word "the" the word "minimum"; line 8, by striking out after the word "section" the following: "may be further reduced to a minimum Experience Factor of" and inserting in lieu thereof the words "shall be"; line 10 by inserting after the word "centum" the following: "If there-

after such balance shall as of December 31 of any subsequent year be less than two hundred fifty million dollars the provisions of this subsection shall not be applicable to the calculation of the funding and experience factors for succeeding calendar years until such balance shall again be more than three hundred million dollars."

Page 31, line 14, by inserting after the word "thereto" the words "including voluntary contributions"; line 17, by striking out after the word "credited" the following: "the amount of these charges in excess of contributions shall be removed from the employer's reserve account and a new balance established as zero. If subsequent to the computation date it is found that compensation paid prior to the computation date was erroneously charged to the employer's reserve account the account shall be credited only to the extent that such erroneous charges exceed the amount of charges removed on the computation date"; and inserting in lieu thereof the following: "The employer may elect subject to the provisions of Section 301 (A) (3) of this act to have his reserve account balance adjusted to zero." Page 35, line 16, by striking out the bracket before the letter "(a)."

Page 36, line 4, by inserting after the part word "prise" the following: "while attached to the labor market for permanent full-time employment"; line 9, by inserting after the word "subsection" the following: "and section four hundred four of this act."

* * *

"The Secretary shall define by rule and regulation full-time occupation full-time industry and permanent full-time employment for the purposes of this sub-section such rule and regulation shall include inter alia provisions excluding casual workers persons who at their own option work less than full-time and persons who at their own option work irregularly rather than in permanent employment."

Section 8, page 39, line 7, by inserting after the word "pregnancy" the words "whether or not the employer is able to provide other work"; page 40, line 5, by striking out after the word "her" the word "employment" and inserting in lieu thereof the word "unemployment"; line 6, by striking out at the beginning of the line the word "voluntarily"; line 7, by inserting after the word "locally" the words "or (II) because of a marital filial or other domestic obligation or circumstance"; line 11, by striking out after the word "employee" the words "at any time within" and inserting in lieu thereof the words "during a substantial part of the."

Page 43, line 7, by striking out the following: "and provided further that with respect to benefit years which begin on or after the first day of July one thousand nine hundred sixty and prior to the first day of January one thousand nine hundred sixty-one the maximum weekly benefit rate of compensation shall not be in excess of forty dollars (\$40.00) nor the maximum amount of compensation payable with respect to such year in excess of twelve hundred dollars (\$1200.00)"

Page 47, line 11, by striking out after the figures "988" the figures "1012" and inserting in lieu thereof the words "or more"; line 12, by striking out all of lines 12 and 13, as follows:

| | | | |
|--------------|----|------|-------|
| "1013-1037 | 44 | 1904 | 1230 |
| 1038 or more | 42 | 1985 | 1260" |

Line 14, by inserting after the word "to" the following "Section 4 (W) (1)"; line 16, by inserting after the word "sixty" the following: "The amendments to section 4 (W) (2) shall be applicable to any individual who exhausts his benefits subsequent to the effective date of this act."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. TOPKINS. Do I understand we are on page 4, House Bill 2338, Printer's No. 2046?

The SPEAKER pro tempore. That is correct.

Mr. TOMPKINS. The bill is better known as the Unemployment Compensation Bill?

The SPEAKER pro tempore. The gentleman is correct.

Mr. TOMPKINS. I just wanted to point that out so the Members would know exactly what bill we are voting on.

Mr. McCANN. Mr. Speaker, there are just a few items that I think we could quickly cover in 2338 that seem to have some bit of misinformation.

I would say one of the greatest pieces of misinformation in 2338 is the information that someone has disseminated that if your present rate is a low rate of payment what your rate will be after 2338 is law. For example, I know that some of our major companies and individuals who will be covered by this particular piece of legislation have not had any UC claims for years and are deeply interested in the merit rating section. They have been told time and time again by the people in charge, and also by the wording in the bill, that their rate will be the low rate, that the new rate will not be the high rate at the top to build up the fund until such time as the fund reaches a stipulated amount.

I think it is clear to say that 10 days ago the Philadelphia Chamber of Commerce, a rather large, careful organization, endorsed this bill, 2338, Printer's No. 2046, in its entirety; that the labor unions of Pennsylvania are in absolute agreement as to the intent and wording of 2338; that the bill as it left the House of Representatives was a bill little more liberal than the present bill, but it had certain sections that I am glad were corrected, such as the clause dealing with when the additional tax would be imposed should the fund drop below \$300 million. As it left the House, for example, if the fund hit \$299 million, the additional tax would go into effect and the fund would then go over the year and up to \$349 million before it would drop off.

What did they do in the amendments worked out in the Senate? The fund can drop to \$250 million. Then the additional tax goes into effect, which would bring the fund back up to the \$300 million level and this, of course, you know quite well will not occur until approximately the 1961-62 period, but it is extremely important.

The electronic industry and the telephone industry are satisfied at this point as to the full intention and meaning of the amendments placed in 2338 by the Senate. The legal counsel for both of these groups as well as other groups have in their possession in writing a letter, as well as the letter that was given to Senator Thomas Harney, a copy of which was given to Mr. Johnson, the Minority Leader, pertaining to these clarifications.

With all these major concessions made in this bill I think that Pennsylvania again can step forward and say we are proud of our UC law. It is not the best that we would want, but it is a step in the right direction, and we are proud to support it.

Mr. A. W. JOHNSON. Mr. Speaker, I have in my possession a letter addressed to the Honorable Thomas P. Harney, signed by Morley W. Baker, who is of counsel for the Bureau of Employment Security and it explains the way the Bureau would interpret the various sections of the bill in question, and I would like to offer this letter for the record and have it placed in the record.

The SPEAKER pro tempore. The letter will be spread upon the records of the House.

Commonwealth of Pennsylvania
Department of Labor and Industry
Bureau of Employment Security
Labor and Industry Building
Harrisburg

December 2, 1959

Honorable Thomas P. Harney
Senate of Pennsylvania
Harrisburg, Pennsylvania

Re: House Bill No. 2338

Dear Mr. Harney:

In response to your inquiry to Mr. A. Allen Sulcove, Executive Director of the Bureau of Employment Security, as to the interpretation and application of the provisions of subsection 301.1 (f) contained in House Bill No. 2338, Mr. Sulcove has authorized me to advise you as follows. The basic provisions contained in this Bill with respect to the schedule of unemployment compensation rates provides for a flat rate of four percent, and variable rates for those employers who can qualify, depending upon the combination of a Funding Factor, an Experience Factor, and a State Adjustment Factor. The aggregate of these Factors, however, cannot exceed four percent.

The Funding Factor ranges from five-tenths to one per cent. The Experience Factor ranges from five-tenths to three per cent. However, when the balance in the Unemployment Compensation Trust Fund is more than three hundred million dollars as of December 31st of any calendar year, the Funding Factor of all employers for the succeeding calendar year is reduced to zero and the minimum Experience Factor is reduced from five-tenths to one-tenth of one percentum. This situation would continue in effect until the balance in the fund thereafter would fall below two hundred and fifty million dollars as of December 31st of any subsequent year. If the fund balance did fall below two hundred and fifty million dollars, then the Funding Factor schedule would be restored and the minimum Experience Factor would be raised to five-tenths of one percent, until such time as the fund balance again exceeded three hundred million dollars as of December 31st.

The foregoing represents the understanding of the interested parties and is the construction which the Bureau of Employment Security will place upon this subsection.

Very truly yours,

/s/ Morley W. Baker

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

| | | | |
|------------|-----------------|-------------------|-------------|
| Agnew, | Fox, | Gelfand, | Rovansek, |
| Anderson, | Frank, | Gibb, | McInroy, |
| Arlene, | Frascella, | Goldstein, J. H., | McKeever, |
| Ashton, | Galley, | Goldstein, M. H., | McLaughlin, |
| Auker, | Gallagher, | Goodrich, | Machmer, |
| Balthaser, | Garlock, | Gramlich, | Rudisill, |
| Barton, | Guthrie, | Mahan, | Sakulsky, |
| Bell, | Hamilton, | Markley, | Scarcell, |
| Blair, | Haudenschild, | Maxwell, | Schaaf, |
| Bonner, | Heavey, | Meholchick, | Schwartz, |
| Boris, | Helm, | Mihm, | Sherman, |
| Bower, | Hocker, | Miller, B. Z., | Shupnik, |
| Branca, | Holliday, | Miller, H. G., | Silverman, |
| Breth, | Holt, | Mills, | Snare, |
| Brown, | Irlis, | Muldowney, | Snider, |
| Buchanan, | Isaacs, | Mullen, | Stank, |
| Burns, | Jenkins, | Munley, | Stevens, |
| Capano, | Jim, | Murphy, P. J., | Stewart, |
| Capitolo, | Johnson, A. W., | Murray, H. P. | Stimmel, |

| | | | |
|--|---|--|--|
| Cianfrani, Cioffi, Clarke, Comer, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Ewing, Farabaugh, Filo, Fineman, Floyd, Flynn, Foerster, | Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Leonard, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald, | Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, | Stone, Sullivan, Taylor, Thompson, Tompkins, Varallo, Varner, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Wilt, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|--|--|

NAYS—17

| | | | |
|--|---|---|--|
| Bowman, Eshleman, Fetterolf, Fulmer, Henzel, | Horst, Johnson, R., Lee, K. B., Light, | Magee, Murray, P. G., Seltzer, Stoner, | Strausser, Stroup, Weidner, Wood, |
|--|---|---|--|

NOT VOTING—22

| | | | |
|---|---|---|---|
| Boles, Brenninger, Cooper, Crossin, George, Heffner, | Jump, Kornick, Merry, Monroe, Moran, Murphy, A. J., Jr., | O'Dell, Reidenbach, Royer, Schuster, Steckel, | Trusio, Ujobal, Wheeler, Willaredt, Wynd, |
|---|---|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. DOWN filed the following reasons for his vote on House Bill 2338.

Mr. Speaker, I would like to submit my reasons for voting for House Bill 2338, Printer's No. 2046.

I voted against the bill as it originally passed the House because many of the loopholes were not taken out of the bill.

We all realize Unemployment Compensation is essential not only to help those people who become unemployed because of no fault of their own, but it is also good for the economy of the State.

I now realize that this bill is a compromise and the best bill we can get.

It does give the small businessman some relief and it tightens up on some of the loopholes that I object to.

Therefore, Mr. Speaker, since this is the best bill we can get at this time, I am going to support the bill.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2394.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" changing the provisions relating to the reading of the Bible in public schools.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 4, by striking out the bracket before the word "At"; line 5, by striking out the bracket after the word "least" and by striking out the words "Up to" immediately thereafter; by striking out the brackets before and after the word "shall" and by striking out the word "may" immediately thereafter; line 15, by striking out after the word "charged" the words "or under such teacher's direction" and inserting in lieu thereof the following: "any child shall be excused from such Bible reading or attending such Bible reading upon the written request of his parent or guardian."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

| | | | |
|--|--|---|---|
| Agnew, Anderson, Ashton, Arlene, Auker, Balthaser, Barton, Bell, Blair, Bonner, Boris, Bower, Bowman, Branca, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Cianfrani, Cioffi, Clarke, Comer, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Down, Edwards, Eilberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Fox, | Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gibb, Goldstein, J. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Helm, Henzel, Hocker, Holliday, Horst, Irlis, Isaacs, Jenkins, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Jones, T. H. W., Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Lippincott, Lopresti, Luigard, Lutty, | McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Magee, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, P. J., Murray, H. P., Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, | Rigby, Rovanssek, Rudisill, Sakulsky, Scarcelli, Schaaf, Seltzer, Sherman, Shupnik, Snare, Snider, Stank, Stevens, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Tompkins, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Whittaker, Williams, A.D., Jr., Williams, E. S., Willard, Wilt, Wood, Worley, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|---|---|

NAYS—10

Fineman,
Floyd,
Gelfand,

Goldstein, M. II.,
Haudenschild,
Holt,

Schwartz,
Silverman,

NOT VOTING—22

Boies,
Brenninger,
Cooper,
Crossin,
George,
Heffner,

Jump,
Kornick,
Merry,
Monroe,
Moran,
Murphy, A.J., Jr.

O'Dell,
Reidenbach,
Royer,
Schuster,
Steckel,
Wynd,

mitted. The valuations so adjusted shall form the basis upon which valuations for the purpose of determining the amounts of Commonwealth subsidies shall be determined as hereinafter provided.

Any school district for which the percentage of increase of market valuations exceeds fifteen (15) per centum over the previously certified market valuations, excluding additional properties theretofore not included on the county assessment rolls, may appeal within thirty (30) days from the final decision of the board to the Court of Common Pleas of Dauphin County on the issue of whether the decision of the board is arbitrary, capricious and an abuse of discretion. On such appeal the court shall not hear the case de novo, but shall hear arguments from both the school district and the board, receive such evidence and testimony as the court deems necessary for the purposes of such appeal, and make such decision in the matter as appears to it just and proper either sustaining the adjudication of the board or reversing the adjudication of the board and remanding the proceeding to the board for further disposition in accordance with the order of the court. In any case where no objections are filed or no appeal is taken from the decision of the board, such decision of the board shall be final.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts * * *" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS. Mr. Speaker, I wish to withdraw the amendments which were previously offered by the gentleman from Lehigh, Mr. Steckel.

The SPEAKER pro tempore. The gentleman from Cameron, Mr. Tompkins, withdraws the amendments offered by the gentleman from Lehigh, Mr. Steckel, at the request of the sponsor of the amendments.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, next to last line of Title, by inserting after "tion," "eliminating the provision making the decision of the board final; requiring the board to make a written finding of fact and."

Amend Section 1, page 2, line 1, by inserting after "7" "and section 13."

Amend Bill, page 3, by inserting between lines 3 and 4

Section 13. Objections by School Districts; Hearings; Basis for Future Valuations.—Any school district aggrieved by any finding or conclusion of the board affecting the amount of any Commonwealth subsidy payable to it, may, in writing, state its objection thereto, and shall thereupon be granted a hearing by the board at which hearing the board may submit evidence and the district shall have the right to submit evidence for the purpose of showing that the findings of the board are incorrect, and to present arguments to substantiate its contentions. After carefully considering all evidence submitted and the arguments of the district, and based upon the same the board shall make such modifications and adjustments of its findings and computations as to it shall appear proper or it may dismiss the objection. In either event [the decision of the board shall be final] the board shall make a written finding of fact based upon all the evidence sub-

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 810

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 810.

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "Banking Code" further providing for the lending of money by banks and bank and trust companies.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 810

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 810.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 810, entitled: "An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defin-

ing the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' further providing for the lending of money by banks and bank and trust companies."

Respectfully submit the following bill as our report:

GEORGE N. WADE,
FRANK W. RUTH,
HENRY J. PROPERT,
(Committee on the part of the Senate.)

JOHN H. DEVLIN,
H. JACK SELTZER,
PETER G. SCHAAF,
(Committee on the part of the House of Representatives.)

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers and employees' mutual banking associations defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and employees' mutual banking associations and of the officers directors trustees shareholders attorneys and other employees of all such corporations employees' mutual banking associations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further providing for the lending of money by banks and bank and trust companies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection A of section 1001 act of May 15, 1933 (P. L. 624), known as the "Banking Code" is amended by adding at the end thereof a new clause to read:

Section 1001. Powers of Banks Bank and Trust Companies or Trust Companies A In addition to the general corporate powers granted by this act and in addition to any powers specifically granted to a bank or a bank and trust company elsewhere in this act a bank or a bank and trust company shall have the following powers subject to the limitation and restrictions imposed by this act.

* * *

(20) To lend money to a borrower with or without a note or notes by paying a check or checks drawn on it by the borrower whether or not the borrower has funds on deposit in such bank or bank and trust company out of which such check or checks may be paid Provided That no such loan shall be made except pursuant to a written contract between the bank or bank and trust company and the borrower which contract shall be signed by the borrower and shall specify (i) the maximum amount exclusive of interest and other charges authorized by this clause in which a borrower may become indebted to the bank at any one time on account of such loan (ii) the rate of interest payable on such loan which in no event shall exceed the rate hereinafter set forth and (iii) the schedule of payments to be made on such loan. The

contract may contain such other provisions not inconsistent with this act or otherwise prohibited by law as the bank or bank and trust company and the borrower may agree upon. The amount of credit extended to any borrower pursuant to this clause together with the principle balance or balances outstanding on all installment loans made pursuant to clause (4) of this subsection on which interest is charged at a higher rate than six percent simple interest shall not at any time exceed the principal amount set forth in subclause (a) of clause (4) of this subsection taking into consideration the character of such installment loans. The amount in which a borrower has become indebted on any loan made pursuant to this clause shall be repayable in substantially equal successive monthly payments beginning not more than sixty-two days after the date on which such loan is made. The amount of such payments shall equal at least one twenty-fourth (1/24) of the maximum indebtedness permitted by the contract or the full balance of the amount owing on such loan if that be less. Interest may be charged on a loan made pursuant to this clause at a rate not in excess of one percent per month on the daily average balance outstanding on such loan for the actual number of days such loan remains unpaid. Interest may be calculated on the basis of either a thirty-day month and a three hundred sixty-day year or a calendar month and a calendar year. No additional charge for delinquency or otherwise shall be made or contracted for directly or indirectly on or in connection with any such loan except the following (a) ten cents for each check paid by the bank or bank and trust company pursuant to this clause (b) premiums paid by the bank or bank and trust company for insurance obtained as security for or by reason of such loan (c) such amounts as are necessary to reimburse the bank or bank and trust company for fees paid to a public officer for filing recording or releasing any instrument or lien and (d) the actual expenditure including reasonable ten per cent for attorney's fees for legal process and proceedings to secure or collect any such loan.

Section 2. This act shall take effect immediately.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. SHERMAN. Mr. Speaker, I may preface my remarks that I am about to make, that the people perhaps, even if I do not consider myself for the moment, should be pleased that they do have state Representatives here and Senators in the other body who are here to protect their interests at all times.

This bill has allegedly been improved by the Conference Committee to the detriment of both banks and our poor and middle-class people. Instead of six percent per year interest, those seeking to make loans will now bring at least twelve percent per year and in some cases more than twelve percent, since, according to the bill, interest can be computed on 360 days instead of 365 or 366 days per year.

The bill provides for a loan of money without notes, just by the borrower submitting a check, whether or not he has money in the bank to meet the check is immaterial. If there is any question as to whether what I am saying is correct or not, I refer you to lines 11 to 15 on page 4 of this bill.

This bill subjects our conservative savings banks to a dangerous gambling situation which helped cause our panic and crash in 1929. Our poor and middle class depositors will suffer and lose their life savings. The bill also provides for ten cents per check in addition to the twelve percent interest. It also provides, in addition thereto, for premiums paid by the bank for insurance

as security or by reason of said loan-unlimited as to the amount paid for said premiums.

In addition thereto, if that were not enough, the bill also provides for fees paid to the public official for recording or releasing any instrument. I said fees, not only the actual cost paid, but all fees paid. And, if that were not enough, it also provides for all other actual expenditures including ten percent attorney's fees merely to secure any loan. This last item, I submit, is not permitted to any small loan company or under the Small Loans Act. No percentage whatsoever can be collected by any small loans company. Attorney's fees are prohibited by the Small Loans Act and by the Banking Department in all cases of small loans under the Act, and yet this particular bill seeks to make this legal in bank loans.

I am pleased to see that labor does oppose this bill and put it on the disapproved list. In conclusion, I call this bill outrageously damaging to our monetary system, highly detrimental to our savings banks and the taking over of our poor and middle class people together with their savings. This bill, if it were passed and signed by the Governor, would help lead to a crash unheard of heretofore.

I strongly urge you on both sides of the House to oppose this outrageous bill.

Mr. SCHAAF. Mr. Speaker, ladies and gentlemen of the House. I am much impressed by the remarks of the gentleman from Philadelphia, Mr. Sherman.

It is true that on the basis of a quick and cursory reading on page 4 of the bill, lines 11 through 15, and from the standpoint that the saver, the depositor of a savings account in a bank, the bank, if it utilizes such a plan, would not have notes. I would respectfully suggest to those of the Membership who are interested enough in this bill to go beyond what is said on the floor and what is reported in so-called approved or disapproved lists, if they read the bill they will see that although there is no note there is a contract.

I would emphasize one thing, if it please this House, we have a bad habit, and I think it is a bad habit, of making whipping boys of certain institutions and certain persons.

This is not a compulsory thing as far as the banks are concerned. The amendment is to the "Banking Code" whereby the powers of banks are enlarged, but the choice is theirs. It is a voluntary choice on the part of the banks whether they want to utilize this law or this power or not.

Secondly, it is a matter of voluntary choice upon the customer, we will call him that, of the bank, whether he, himself, becomes a party to this type of transaction. I do not believe we should make banks, business banks, whipping boys for this reason: They are a competitive business. Money is a commodity just as any other thing is a commodity, just as food, just as tools, just as grain; just as cattle, money too is a commodity. Money has a market. The banks have competition certainly from building and loan associations, certainly from small loan companies, and certainly from, in these days, credit unions. We only ask that this bill receive the support of this House to keep the banks competitive.

If you will recall, ladies and gentlemen of the House, when this bill was in the House previously, it was amended so as to reduce the interest rate to three-

quarters of one percent. That is the monthly interest charge, a total, I suppose, in round numbers of nine percent in the course of a year. It was restored in conference to one percent per month or 12 percent per year. This is not exorbitant, this is not gouging the poor fellow. Everytime you wave the bloody red flag of the poor man, the poor little cramped individual, you are just obscuring facts, and let us look at the facts coldly here. You are not hurting anybody here. Nobody is compelled to participate in the plan, and, if a bank does adopt the plan, no customer of the bank is compelled to join the plan.

This bill, contrary to what may have been the impression left, has at least the tacit approval, the tacit consent, of the Department of banking. It has the wholehearted consent of the responsible traditionally conservative banking institutions in our own localities. I think one thing that the House of Representatives has always tried to do and that is to try to protect the little people by preventing them from being driven to the loan shark. I think this bill accomplishes that purpose, because it keeps the banks in a competitive position so that they can give service to their customers without driving them out to questionable sources of loans.

Mr. SCHWARTZ. Mr. Speaker, when this bill was before us once before I voted for the bill just as I took a position on the increase in interest rates by small loan companies and voted against that particular bill.

I do not believe that Members of the House as given to us by Mr. Schaaf, should automatically have a preconceived notion because of the particular institution that is involved in the bill. In other words, just because it is a bank does not mean that you should vote against a bill which may help a bank. As I stated the last time, the reason I can vote for this type of bill is because if you balance the equities of a person who is looking for a loan, who needs a loan, where would he be better off, going to a small loan company, or going to a bank? I think the only conclusion you can come to is that person would be better off dealing with a bank than with a small loan company because of the difference in interest rates.

Let us take for granted that the interest rate here is one percent. The small loan company interest rate, as we know, is three percent a month, in some cases, 2.5 percent a month in some cases, and 1.5 percent a month in some cases, irrespective of the amount involved, so that on all scores the person going to the bank under this bill will be paying in some cases one-third of the amount of interest they would pay if they went to a small loan company.

Another great advantage that this bill has is the fact that the person who enters into an agreement with the bank does not pay interest on any of the money until he uses the money. That is a very great and definite advantage to the borrower. I, therefore, have no hesitancy in voting for this bill.

Mr. ANDREWS. Mr. Speaker, I am glad I am not a learned banker. I cannot, therefore, comprehend the logic of being driven out of one loan shark's clutches into the clutches of another. Talk about pity for the little fellow, for the fellow that is up against it. Well, I have a bit of boyhood background on that.

I was raised in the middle west. I can remember the time when the farmer was hard up and had to pay 12 to

15 percent for his money and it took us, I do not know how long in this state, but it took us 20 years in Iowa to force the banks to a 6 percent rate of interest. A bank has certain public responsibilities and it seems peculiar to me that at a time when the dividends of banks are skyrocketing and money is gravitating more and more into the hands of a comparatively narrowing group that the heart of the banker grows soft and wants to do something for the fellow who is in trouble. Now he says that we no longer recognize 6 percent as a reasonable return on money; 12 percent is a reasonable return on money.

Our Public Utility Commission law, I believe, states that 6 percent is a reasonable return, maybe it is 7, and I leave it to the judgment of this House whether 6 percent is or is not a reasonable return in accordance with the recognition which we have given that particular total.

I very much regret that the Democratic party, long a friend to the little fellow who has struggled, suddenly becomes banker-conscious and says that the proper rate for money if you are hard up is 12 percent, if you are not so hard up maybe you can get it for four or five. I am against this bill.

Mr. GELFAND. Mr. Speaker, I also rise in opposition to this bill. I am very, very happy that our eminent Speaker has spoken so ably in opposition, although he did take some of the words right out of my mouth, because to me it appears to make no difference whether you go to one loan shark or another.

When this bill first came to the House from the Senate and was on our daily calendar, we had a lengthy debate, and the bill was defeated by a vote of 91 to 88. At that time the bill provided for 12 per cent interest, and that was one of the basic factors which led to its defeat.

Ultimately the bill was called up a second time and it was amended. The basic amendment made to the bill was that the interest rate was reduced from 12 per cent to 9 per cent. At the time the bill passed this House. Now, much to our chagrin and surprise, we have back the same bill after it has been considered by a Conference Committee. And what did the Conference Committee do? It completely ignored what we in the House thought was proper, and reorganized the bill in such a fashion as to be almost exactly as it was originally when it came to this House, with an interest rate of 12 per cent instead of the 9 per cent to which we had amended it. As the Speaker said, and as I would like to reiterate, one loan shark is no worse than another.

Also, I would like to put in the record a statement which I received in the mail from the Pennsylvania Federation of Labor, and which, incidentally, includes the basic reasons the Governor gave for vetoing another bill which was an increased rate for the small loan corporations.

Among the things the statement of the Pennsylvania Federation of Labor says are these:

This bill permits an increase in interest rates above the 6 per cent simple interest rate for amounts now subject to that limitation. It would encourage the widespread and unnecessary contracting of consumers' debts at a time when credit and installment buying is at an all time high.

This would place in greater jeopardy the economic security of the individual families so involved. The practice contributes to inflation more so than other causes in that it devaluates the dollar even further by siphoning off an addi-

tional amount for increased interest rates while it, at the same time, serves to lower the standard of living of wage earners and small income groups by reducing the purchasing power of the dollar.

Moreover, the attraction of investment capital for this particular phase of consumer credit financing would serve further to decrease the mortgage market and cause the already declining number of new housing starts to drop even further.

Also I would like to call to the attention of the House that recently in Forbes magazine I read that at a meeting of the American Bankers Association one of the leading economists of the United States decried the fact that the banks were starting to go into this type of financing because what it was doing was leading to more installment buying and actually siphoning off the purchasing power of the small people for future years. So that what we are doing is putting ourselves into debt for future years and possibly leading to a tremendous inflationary climate in our economy.

I would suggest that each Member of this House consider this bill fully, and when they consider their vote that they vote against it because it presents a danger to the economy, not only of the Commonwealth but of our country.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will either Mr. Schaaf, the gentleman from Erie, or Mr. Schwartz, the gentleman from Philadelphia, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Erie permit himself to be interrogated?

Mr. SCHAAF. With great trepidation, yes, sir.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is it not true that under the provisions of this bill there is no limitation insofar as the amount of a loan is concerned? In other words, if a man is seeking a \$5,000 loan, he can go to the bank and the bank will tell him, enter into a contract, and you will be subject to 12 per cent interest. Is that not true?

Mr. SCHAAF. I am informed, Mr. Speaker, that this is not so, that Section 4 of this particular bill, which is not including in the bill, sets a limitation of \$3500.

Mr. H. M. GOLDSTEIN. \$3500? Thank you for the information. That is all.

Mr. GOLDSTEIN. Mr. Speaker, regardless of whether or not the limitation is \$3500 or otherwise, we feel the net result of this bill will be inflationary.

I read with great interest in the papers throughout the country that the Democrat National Advisory Committee has taken the position against an increase in interest rates. With the Democrat National Advisory Committee I concur, and I suggest that the Members on the other side of the aisle can follow the Democrat National Advisory Committee by voting against this bill.

Mr. SCHAAF. Mr. Speaker, I will be very brief. I apparently do not share the identical political philosophy of some Members of this House, and at the risk of incurring the wrath of some of the Members I again repeat my comment, that I do not think as a political party we on this side of the House say that all banks are gougers and all people who bank in banks are the common people and, therefore, we are for them.

I take issue with Mr. Andrew's remarks when he made the parallel between this bill and the guaranteed six or seven per cent return of a public utility and, since that is the figure that should be acceptable to banks, I do

not think there is any comparison. I think, if I am correct in my thinking, that is a net return to the particular utility. We are talking about interest that a bank or banking institution obtains; we are talking about the gross returns from which must be set off their expenses of doing business.

Lastly, Mr. Speaker, I would say this: This is not a bad bill. We talk in broad terms about asking business to come into the state of Pennsylvania by making the state of Pennsylvania attractive for business. I would just ask a rhetorical question of the Members of the House. If a business does want to come into Pennsylvania and is in need of funds, is in need of a loan, and does not have real estate to subject to the payment of those loans, it does not go to a building and loan association, it does not go to a credit union, it does not go to a small loan company. It goes to the bank, the center of the financial activity in the particularly locality.

I urge every Member of this House, in fairness to their own communities to support this bill.

Mr. SCHWARTZ. Mr. Speaker, I would like sometime to have the opportunity of debating this question of banking with the Speaker of the House. Of course, he prefaced those remarks by saying that he does not know too much about banking. Well, I think it is obvious that he does not.

The reason I make that statement, and make it knowingly, is because he, as well as some other people, lose sight completely of what is happening in banking circles today. You all know that the Federal government has recently issued bonds which pay five per cent interest. Now, you tell me, in God's name, how a bank can lend money at six per cent, unsecured, to an individual, when by the same token they can get five per cent guaranteed from the Federal government on bonds?

The same thing is true if you know anything about the mortgage market at the present time. Builders are paying as high as eight and ten per cent bonus in order to receive a mortgage at six per cent interest. We cannot stop at this level at the present time and say to the bank, you cannot charge this, and this, and this, without realizing what money is costing the banks today. If you read the papers at all you know what the prime rate of interest is and how it has increased in the last year or year and a half. I say you just cannot take this situation and put it in a cocoon, or act like an ostrich and put your head in the ground and say, we do not care what the banks are paying for their money, six per cent is enough for them. I say that is the wrong way to look at this situation.

Mr. SHERMAN. Mr. Speaker, very briefly, can we stop this outrageous situation, shall we stop this outrageous situation? In my opinion it is about time we did. What are we waiting for, a crash like we had in 1929? What are we waiting for? According to the amendment fixing the amount of interest, the costs and fees come to about twenty to twenty-five per cent of the loan. Not only are you taking those people over, but what is he waiting for where the banks themselves are concerned? According to these savings banks, whether it is the Philadelphia Savings or any other conservative banking institution which is permitted to make loans without any notes, any security, are you waiting for them to go up?

I ask you to vote against this bill, and I ask a strong vote in protest against actions of this kind.

Mr. ANDREWS. Mr. Speaker, I want a very short period

in which to reply to the distinguished financial authority from Philadelphia.

It happens that I have a small amount of money in a bank. It is a good bank, and I presume that I should put some more money in there as a time deposit and get three per cent, or have it as an open checking account, and increase that. Why? So, the bank can lend my money that is not costing them anything, or on which they are paying me three per cent, to the gentleman from Philadelphia for twelve.

Mr. A. W. JOHNSON. Mr. Speaker, I did not intend to take the floor on this bill. Why? Because I have had calls from institutions that are for it and from those who are against it.

Let us not work ourselves into hysteria here that is absolutely unwarranted. The present law is that a bank can lend you \$3,500 on an installment note on which they have added, in effect, 12 percent interest. It is the law today. The only difference between this bill and the present law is that under present law you go into a bank, arrange for your loan, sign a judgment note, and they credit your account with it. They divide it by 12, 24 or 36, the number of payments, and you pay 12 percent interest on the installment loan under present day law. Banks are doing it today all over Pennsylvania. The only change, as I see it, in this bill and present law is that you will sign a contract with the bank that you have a credit up to a certain amount of money. I understand that most of those contracts, if not all of them, contain a confession of judgment clause. It is true that it is money on tap, money that you can draw on when you need it, and you do not pay interest on it until you draw it. But if I understand the banking laws correctly today, up to \$3,500 the rate is presently 12 percent. I personally cannot see how this is any more inflationary than the present day \$3,500 installment loan that we have in banks.

So, let us not get hysterical about this. The sky is not going to fall on Pennsylvania if this bill passes, so help me. I do not believe any bank will, in a very flimsy way, indiscriminately hand out the depositors' money in a reckless manner which will cause unusual losses to the bank, or create any undue inflation. That is my opinion on this bill.

Mr. HEAVEY. Mr. Speaker, when you want to borrow money you go to the cheapest place. I talked to one of the officials of a big bank in Philadelphia and he told me these small loans we are talking about today cost the bank nine percent.

It looks to me like we are making a mountain out of a molehill. These small loans have gone over very well with the people of the Commonwealth at all the large banks, and they are making great use of it. I do not see anything wrong with the bill.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—54

Agnew,
Ashton,
Balthaser,
Barton,
Bell,
Bower,

Eshleman,
Ewing,
Fetterolf,
Fox,
Garlock,
Goldstein, J. H.,

Kelser,
Kernaghan,
Knecht,
Lippincott,
Lutty,
McCandless,

Murray, P. G.,
Odorisio,
Ogilvie,
Perry, H. H.,
Rudisill,
Seltzer,

Bowman,
Brown,
Buchanan,
Clarke,
Davis,
Dennison,
Dougherty,
Eshback,

Gramlich,
Haudenschild,
Heavey,
Henzel,
Hocker,
Horst,
Johnson, A. W.,
Johnson, R.,

McCann,
McDonald,
Magee,
Mahan,
Markley,
Miller, H. G.,
Murray, H. P.

Thompson,
Tompkins,
Wall,
Weldner,
Wood,
Worley,
Zimmerman,

NAYS—114

Anderson,
Arlene,
Auker,
Bonner,
Boris,
Branca,
Breth,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Curwood,
Devlin,
Donahue,
Donaldson,
Down,
Edwards,
Elberg,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Frank,
Frascella,
Fulmer,
Galley,

Gallagher,
Gelfand,
Gibb,
Goldstein, M. H.,
Hamilton,
Holliday,
Holt,
Irlis,
Isaacs,
Jim,
Jones, F. R.,
Kamyk,
Kee,
Kessler,
Kooker,
Korns,
Kovolenko,
Kubitsky,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lopresti,
Luigard,
McKeever,
Machmer,
Maxwell,
Meholchick,

Mihm,
Miller, B. Z.,
Muldowney,
Mullen,
Munley,
Musto,
Naugle,
Needham,
Nelson,
O'Donnell, J. A.,
O'Donnell, J. P.,
O'Neil,
Parlante,
Pashley,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,
Riley,
Rovanseck,
Sakulsky,
Scarcelli,
Schaaf,

Schwartz,
Sherman,
Shupnik,
Snare,
Snider,
Stank,
Stevens,
Stewart,
Stimmel,
Stone,
Stoner,
Strausser,
Stroup,
Sullivan,
Taylor,
Varallo,
Verona,
Wargo,
Welsh,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Wilt,
Yetter,
Andrews,
Speaker

NOT VOTING—42

Blair,
Boles,
Brenninger,
Comer,
Cooper,
Crossin,
Dengler,
Dennis,
George,
Goodrich,
Guthrie,

Heffner,
Helm,
Jenkins,
Jones, T. H. W.,
Jump,
Kornick,
Lamb,
McCormack,
McInroy,
McLaughlin,
Merry,

Mills,
Monroe,
Moran,
Murphy, A. J., Jr.,
Murphy, P. J.,
Murray, J. J.,
O'Dell,
Reldenbach,
Royer,
Schuster,

Silverman,
Steckel,
Trusio,
Ujobal,
Varner,
Walsh,
Wheeler,
Willaredt,
Wynd,
Yatron,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

CONFERENCE COMMITTEE REPORT LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the report of the Committee of Conference on Senate Bill No. 810 be laid on the table.

The motion was agreed to.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, we have not caucused sufficiently on House Bill No. 2093 and we are not ready at this point, I would say, to vote on the bill. However, if the House wants to give us a 15-minute caucus on this bill, we will do it. I am requesting a 15-minute caucus for the Republican party on this bill.

Mr. McCANN. Mr. Speaker, I request that the Democrat Members stay right here. This is the last controversial bill tonight, so let us finish it up. We have no objection to their request for a short caucus, but we would like to have all of our Members stay here so we can finish up.

RECESS

The SPEAKER. The Chair declares a recess of fifteen minutes for the purpose of a Republican Caucus.
The Chair hears no objection.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR

REPORTS FROM COMMITTEE

Mr. GARLOCK from the Committee on Highways, reported as amended, House Bill No. 2117, entitled:

An Act amending the "Rural State Highway Law," approved June 22, 1931 (P. L. 594) changing or deleting certain routes and adding certain new routes.

Mr. GARLOCK from the Committee on Highways, reported as amended, House Bill No. 2118, entitled:

An Act amending the "Borough Rural State Highway Law," approved June 1, 1933 (P. L. 1172), changing or deleting certain routes and adding certain new routes.

Mr. GARLOCK from the Committee on Highways, reported as amended, House Bill No. 2119, entitled:

An Act amending the "City State Highway Law," approved June 22, 1931 (P. L. 720), changing or deleting certain routes and adding certain new routes.

Mr. McCANN from the Committee on Rules, reported as amended, Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 2444, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

Mr. McCANN from the Committee on Rules, reported as committed House Bill No. 2463, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1266, entitled:

An Act requiring certain authorities to grant the right to political subdivisions to flush their fire hydrants.

Mr. McCANN from the Committee on Rules, re-reported as amended, Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

Mr. McCANN from the Committee on Rules, re-reported as committed, Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of

way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2444, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2463, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 1266, entitled:

An Act requiring certain authorities to grant the right to political subdivisions to flush their fire hydrants.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

By Messrs. HAMILTON, MUSTO, Mrs. MARKLEY and Mr. KUBITSKY. HOUSE BILL No. 2464.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for additional compensation for professional and temporary professional employees.

Referred to the Committee on Rules.

By Messrs. SCHWARTZ, McCANN and A. W. JOHNSON. HOUSE BILL No. 2465.

An Act amending the "State Employees' Retirement Code of 1959," approved June 1, 1959 (Act No. 78), further providing for death benefits for contributors dying after July 1, 1958.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1204.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing device.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 1215.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prescribing penalties for false or deceptive labeling of cigars cigarettes pipe tobacco or other tobacco products or the packages in which they are contained.

Referred to the Committee on Rules.

SENATE BILL No. 1262.

An Act amending the act of May 23, 1956 (P. L. 1662) entitled "An act authorizing the Department of Property and Supplies to acquire by gift ninety-three acres more or less of land with buildings thereon in the City of Pittsburgh Allegheny County for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with tuberculosis and making an appropriation" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

Referred to the Committee on Rules.

SENATE BILL No. 1264.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" adding a certain route in Somerset County.

Referred to the Committee on Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2268

Mr. MUSTO. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2268.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 432.

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough, Chester County.

HOUSE BILL No. 594.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Pechin House providing for the repair of the Pechin House authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society and making an appropriation.

HOUSE BILL No. 647.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing the provisions relating to leaves for certain State employees.

HOUSE BILL No. 959.

An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth.

HOUSE BILL No. 998.

An Act amending the "Public School Code of 1949" approved March 10, 1949 defining distressed school districts * * * defining the powers and duties of the Superintendent of Public Instruction.

HOUSE BILL No. 1099.

An Act amending "The Professional Nursing Law" approved May 22, 1951 (P. L. 317) providing for biennial registration.

HOUSE BILL No. 1161.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating reimbursements made by the Commonwealth to union and merged districts and jointures.

HOUSE BILL No. 1172.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), increasing the permissible ratio of loan to value of the security for real estate and leasehold loans.

HOUSE BILL No. 1261.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" further providing for the operation of classes or schools for institutional children in counties of the second class the cost thereof to be paid by the Commonwealth.

HOUSE BILL No. 1610.

An Act amending the act of June 29, 1953 (P. L. 300) entitled as amended "An act providing for compliance with Federal law and the approval of certain institutions * * *" abolishing the advisory committee on standards and transferring its functions to the State Board of Public Welfare.

HOUSE BILL No. 1611.

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to adoption" by abolishing the advisory committee on adoption standards.

HOUSE BILL No. 1612.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), eliminating the necessity of approval by the State Board of Public Assistance of certain standards rules and regulations.

HOUSE BILL No. 1822.

An Act amending the "State Council of Civil Defense Act of 1951" approved March 10, 1951 (P. L. 28), making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters.

HOUSE BILL No. 1915

An Act amending the act of May 11, 1949 (P. L. 1106) entitled "An act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools," providing for the payment of the expenses of the county superintendent of schools.

HOUSE BILL No. 1954.

An Act lapsing a balance of an appropriation made from the Motor License Fund to the Department of Highways

in section 4 of the act of September 3, 1955 (Appropriation Act No. 18-A).

HOUSE BILL No. 2063.

An Act authorizing the Department of Property and Supplies to acquire by gift on behalf of the Pennsylvania Historical and Museum Commission the historic property known as the Tuscarora Academy.

HOUSE BILL No. 2316.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property.

HOUSE BILL No. 2319.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) providing for the sale of borough owned electric light plants and the effect thereof.

HOUSE BILL No. 2359.

An Act amending the act of June 25, 1947 (P. L. 928) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class," fixing the compensation of auditors.

HOUSE BILL No. 2371.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) changing definition of final average salary for classroom teachers with thirty-five or more years of service.

HOUSE BILL No. 2376.

An Act amending the act of September 3, 1955 (Appropriation Acts page 18) entitled "An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes," extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available.

HOUSE BILL No. 2382.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" changing the provisions which make certain worldly employment unlawful on Sunday.

HOUSE BILL No. 2425.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuitants and requiring school employees who are members of the General Assembly to give notice of election in certain cases.

HOUSE BILL No. 2446.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) specifying when tax levies in counties of the eighth class may first be based on assessments from valuations made with the use of the permanent system of records.

SENATE BILL No. 1227.

An Act amending the act of August 10, 1951 (P. L. 1182) entitled "Chiropractic Registration Act of 1951" permitting students in their final semester of chiropractic college to be admitted to the standard examination.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2018.

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *" further regulating the salary of the first aid and mine rescue instructors.

HOUSE BILL No. 2019.

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania * * *" regulating the salary of electrical inspectors.

HOUSE BILL No. 2273.

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594) by redefining certain terms including retail dealer and wholesale dealer * * * and making other technical changes therein.

HOUSE BILL No. 2277.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code" repealing provisions for annual registration fees based on chassis weights adding a schedule of fees for certain vehicles repealing provisions for maximum gross weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections.

HOUSE BILL No. 2380.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

HOUSE BILL No. 2409.

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township, Fayette County, to the government of the United States for use as a National Park and with certain reservations ceding jurisdiction over such lands.

HOUSE BILL No. 2455.

An Act amending the Act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class * * *" further regulating payments to the widow and children of members who are killed while on duty.

HOUSE BILL No. 2456.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) further regulating payments to the widow and children of members who are killed while on duty.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1881

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1881.

An Act amending the "Consumer Discount Company Act" approved April 8, 1937 (P. L. 262) further regulating the granting of licenses and providing for appeals.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1265.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

Referred to the Committee on Rules.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 24

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

And has appointed Messrs. Watkins, Wade and Hays a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 24 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 24

The SPEAKER pro tempore. The Speaker has appointed as a committee of Conference on the part of the House, Messrs. POLEN, HAMILTON and EWING.

Ordered, That the Clerk inform the Senate accordingly. The SPEAKER pro tempore. The Chair now returns the gavel to the Speaker.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

STATEMENT BY SPEAKER

The SPEAKER. The Chair wishes to announce there are some anonymous sources, Members of the House, who do not care to be identified with the gift that the Chair has today received, \$60, as an addition to the \$600 that has been sent to CARE in the name of the House.

BILL ON FINAL PASSAGE

Mr. McCANN. Mr. Speaker, I call up House Bill No. 2093 on page 2 of today's calendar, bills on final passage.

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

On the question,

Shall the bill pass finally?

Mr. McCANN. I do not think there is much use wasting much time on this bill now. I understand that I have no supporting votes from the Republican side of the House on House Bill 2093. I believe the bill is a very sound piece of legislation, but there is no use in debating it since it was discussed at a prior date, but we have all the information available for debate.

I think the Republican leadership knows how many votes there are on this side of the House today, how many are for the bill, how many are against the bill. Therefore, I have no objection to any type of a roll call they may care to take, slow, fast, division, whatever it may be, on House Bill No. 2093, the last bill of the day.

Mr. A. W. JOHNSON. Mr. Speaker, of course, it would be nice to be able to raise the salaries of all the members of these boards and commissions. On this side of the House we think there are some persons named in the bill who would earn the money. There are a lot of others that only show up about one day a week and there is some question whether the money that they are getting now is not more than they earn.

I am giving you the position of the Republican caucus. Perhaps if you had a series of bills on the calendar and separated each one, there would be some of them that would have some merit and would receive the favorable approval of the Republicans Caucus.

Coming down through the hall, one Member came to me and expressed his ideas about the bill. He said, here we have a situation before the Senate now. We have sent House Bill 1108 over there. They trimmed it down to the small sum of \$16 million, and the Governor's office has said there is not even \$16 million for 1108. In fact, there is no money in that budget for public schools.

I am wondering whether there is any money in the budget for these salary raises. I just talked to Mr. Tompkins who was on the Committee of Conference and nothing was said to him that there was money available in the budget to pay for these raises. Maybe there is. Maybe it is tucked away some place and maybe we in voting for the

conference report inadvertently added money for these raises not realizing what was going on. But so far it has been pointed out that the four percent sales tax gives money to raise salaries of cabinet officials but no money for House Bill 2093.

That seems to be the situation that prevails. So on this side of the House we are solidly against the bill.

Mr. McCANN. Mr. Speaker, there is no use trying to hide behind the veil of the fact that there is no money to pay for these. If you would have asked the question, how much it costs for each one when it goes into effect, some do not get any money until their term expires and they are reappointed or new appointments are made.

It is just a matter of principle that we have done the following which is a part of the record. We changed the salary of the Governor; we changed the salary of the cabinet members; we changed the expenses of the Members of the House and Senate. This was to be done in '57. It was not done. It should be done now.

You are saying that you are not voting for it. That's your privilege and your prerogative. I believe you should. It is a moral obligation and I do not think it costs very much money because had you asked the question, at any time, you would have been provided the answer instantly at that point.

This is something that two years ago should have been done. If it is not being done in '59, I ask you when it is going to be done.

Mr. FARABAUGH. Mr. Speaker, some of the things that I had in mind have already been said. As you well know, I spoke on this bill before and I called to your attention the fact that we were struggling to find money for the schools, which as I understand, we have not yet found. I cannot see how any Member of this House can support a measure of this kind under those circumstances.

I want to say further, I realize that possibly there are some of these places where there should be an increase in salary. I stated my position to the leadership before, and asked that it be corrected and increases given in a reasonable amount or where they should be given.

That suggestion was ignored. I am not one who will vote for an entire package that has a lot tied together and vote for it just because there are certain ones that should have had an increase. I cannot see my way clear to do that and I think others ought to think of it the same way.

I want to say there has been some very mysterious lobbying going on here on this bill which I think should be not allowed in this House. Some of the members of various boards are sitting around here in lines today watching what goes on and seem to have an effect on some people. It affects me possibly in an opposite direction. I hope they are not influenced by such means, and I certainly will insist on a slow roll call on this bill.

Mr. RIGBY. Mr. Speaker, I had intended to interrogate the sponsors of this bill, but in the light of what has taken place, I am going to forego that.

I want to say this for the record: I do not agree with some of the statements that have been made that some of these people deserve an increase in pay. I do not believe they do. I think they are being paid sufficient money now. For the most part, they are parttime jobs and they work maybe one or two days a week. If the Members of this House will take their calendars and look at the

number of days we have worked and look at the checks they are getting every month, I think they will agree with me that this is one bill that certainly should be defeated and that no person with a parttime job should be making \$14,000, \$16,000, \$18,000, year. I am certainly tickled to pieces to see it is going to be licked.

On the question recurring,
Shall the bill pass finally?

MOTION TO POSTPONE

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. I ask that the Membership support the motion to place the bill on the final passage postponed calendar. I am willing to see what their offer is as to who they say deserves the raise since they can not furnish the information today.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. HOCKER and AUKER and were as follows:

YEAS—90

| | | | |
|------------|---------------|-------------------|------------|
| Anderson, | Frank, | Machmer, | Renwick, |
| Arlene, | Frascella, | Maxwell, | Riley, |
| Balthaser, | Galley, | Meholchick, | Rudisill, |
| Bonner, | Gallagher, | Mihm, | Sakulsky, |
| Branca, | Garlock, | Mills, | Scarcelll, |
| Breth, | Hamilton, | Schaaaf, | Sherman, |
| Burns, | Heavey, | Mullen, | Shupnik, |
| Capano, | Holt, | Munley, | Silverman, |
| Capitolo, | Irviss, | Musto, | Snider, |
| Cianfrani, | Jim, | Needham, | Stank, |
| Cioffi, | Jones, F. R., | Nelson, | Stone, |
| Clarke, | Kamyk, | O'Donnell, J. A., | Sullivan, |
| Comer, | Knecht, | O'Donnell, J. P. | Taylor, |
| Curwood, | Kovolenko, | O'Neill, | Varallo, |
| Dennis, | Lamb, | Parlante, | Verona, |
| Devlin, | Leonard, | Pashley, | Wargo, |
| Dougherty, | Limper, | Perry, H. H., | Welsh, |
| Ellberg, | Lopresti, | Perry, P. E., | Yatron, |
| Farabaugh, | Luigard, | Petrosky, | Yetter, |
| Fillo, | Lutty, | Polaski, | |
| Floyd, | McCann, | Polen, | |
| Flynn, | McCormack, | Prendergast, | Andrews, |
| Foerster, | McDonald, | Reibman, | Speaker |

NAYS—74

| | | | |
|------------|-------------------|----------------|-----------------------|
| Agnew, | Gibb, | Lee, K. B., | Stevens, |
| Ashton, | Goldstein, J. H., | Light, | Stewart, |
| Auker, | Goldstein, M. H., | Lippincott, | Stimmel, |
| Barton, | Gramlich, | McCandless, | Strausser, |
| Bell, | Haudenshield, | Magee, | Stroup, |
| Bower, | Henzel, | Mahan, | Thompson, |
| Bowman, | Hocker, | Markley, | Tompkins, |
| Buchanan, | Holliday, | Miller, B. Z., | Wall, |
| Davis, | Horst, | Miller, H. G., | Weidner, |
| Dennison, | Isaacs, | Murphy, P. J., | Wescott, |
| Donahue, | Johnson, A. W., | Murray, H. P., | Whittaker, |
| Donaldson, | Johnson, R., | Odooriso, | Williams, A. D., Jr., |
| Down, | Kee, | Ogilvie, | Williams, E. S., |
| Edwards, | Keiser, | Price, | Willard, |
| Eshback, | Kernaghan, | Pursley, | Wilt, |
| Ewing, | Kessler, | Rigby, | Wood, |
| Fetterolf, | Kooker, | Seltzer, | Worley, |
| Fox, | Korna, | Snare, | Zimmerman, |
| Fulmer, | Kubitsky, | | |

NOT VOTING—46

| | | | |
|-------------|------------------|--------------------|------------|
| Blair, | Goodrich, | Merry, | Schuster, |
| Boles, | Guthrie, | Monroe, | Schwartz, |
| Boris, | Heffner, | Moran, | Steckel, |
| Brenninger, | Helm, | Murphy, A. J., Jr. | Stoner, |
| Brown, | Jenkins, | Murray, J. J., | Trusio, |
| Cooper, | Jones, T. H. W., | Murray, P. G., | Ujobal, |
| Crossin, | Jump, | Naugle, | Varnier, |
| Dengler, | Kornick, | O'Dell, | Walsh, |
| Eshleman, | Lee, A. M., | Reidenbach, | Wheeler, |
| Fineman, | McInroy, | Rovansek, | Willaredt, |
| Gelfand, | McKeever, | Royer, | Wynd, |
| George, | McLaughlin, | | |

So the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 2295, Printer's No. 2004,
was passed over at the request of Mr. McCANN.

SENATE MESSAGES

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 785

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

And has appointed Messrs. Wagner, Fleming and Seyler a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 785 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 785

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Mrs. REIBMAN, Messrs. GAILEY and ASHTON.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. LIGHT. Mr. Speaker, I move that this House do now adjourn until Wednesday, December 9, 1959, at 11:00 a. m., EST.

The motion was agreed to, and (at 6:30 p. m., EST), the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

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HARRISBURG, PA., WEDNESDAY, DECEMBER 9, 1959.

No. 121.

SENATE

WEDNESDAY, DECEMBER 9, 1959.

The Senate met at 10:00 o'clock a. m.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. ROBERT A. MacASKILL, Pastor of Presbyterian Church, Gettysburg, offered the following prayer:

Let us pray.

Eternal God, we thank Thee for Thy care and keeping through another night and for this new day and newness of opportunity and service. We thank Thee for faith, hope and love; faith in Thee that Thou art our refuge and strength; faith in knowing that blessed is the nation whose God is the Lord, the people whom Thou hast chosen for Thine inheritance.

We thank Thee for the hope that is built upon our fidelity and faithfulness to truth and Thy purpose, which is the cherished possession of free men everywhere, and that faith is not away, but shineth more and more unto the perfect day. We thank Thee for love; Thy love for us and the gift of Thy Son, and our love for Thee and one another, motivating us in all that we do to rise above party, partisanship and personality, to sense our oneness as children of Thee, O God. We thank Thee for our unity in mission as a Nation.

Now to that end, keep us ever faithful in our labors. Thy Kingdom come, Thy will be done on earth, even as it is in heaven, through Jesus Christ, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. RUTH, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills

had been approved and signed by the Governor: **SB 139**, 209, 304, 864, 932, 1220, 1247 and 1248.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 1250** and **1251**, with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 446**, 1322, 1473, 1981, 2338 and 2394.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 2150**.

The PRESIDENT pro tempore. The communication will be laid on the table.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 24**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurred in by the Senate to **SB 24**, and has appointed Messrs. POLEN, HAMILTON and EWING as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 785**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurred in by the Senate to **SB 785**, and has appointed Mrs. REIBMAN, Messrs. GAILEY and ASHTON as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) in

the presence of the Senate signed the following bills: **SB 1250 and 1251.**

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Schuylkill, Mr. Wagner, to the rostrum to preside.

The PRESIDING OFFICER (Paul L. Wagner) in the Chair.

SB 1133, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 1133**, which was recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF SB 1133, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which **SB 1133**, recalled from the Governor, passed finally on October 13, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. KOPRIVER, JR. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. KOPRIVER, JR. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. KOPRIVER, JR. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. KOPRIVER, JR. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendment:

Amend the title, page 1, line 4 of the title, by inserting after "act": "and establishing certain other fees".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

HB 1675 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1675.**

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 1675**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2173 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 2173.**

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 2173**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2361 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 2361.**

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 2361**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. PROPERT, from the Committee on Highways, reported, as amended, **HB 317.**

CALENDAR

BILLS ON FINAL PASSAGE

HB 634 and 1355—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

THIRD READING CALENDAR

BILLS ON THIRD READING, RECALLED FROM THE GOVERNOR

SB 297 and 298—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 1106—Read at length the third time and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wagner, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. RUTH.

BILLS ON THIRD READING

SB 413—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendment:

Amend Sec. 3, page 3, line 13, by striking out "fifty cents (50¢)" and inserting: "one dollar (\$1.00)".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

HB 506—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarra, | Weiner, |
| Elliot, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wagner, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 652—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|----------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |

| | | | |
|--------------|------------|---------|-------------------|
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarra, | Weiner, |
| Elliot, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wagner, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 993—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Madigan, | Rooney, | Walker, |
| Donolow, | Mahady, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarra, | Weiner, |
| Elliot, | McCreesh, | Scott, | Whalley, |
| Flack, | McGinnis, | Seyler, | Wolfe, |
| Fleming, | McMenamin, | Shafer, | Wagner, |
| Harney, | | | Presiding Officer |

NAYS—1

Lane,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1121, 1122, SB 1189, 1242, HB 1344 and 1474—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1927—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarra, | Weiner, |
| Elliot, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wagner, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1971, 2108, 2170, 2192 and 2193—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 2402—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Title, page 2, second line of Title, by striking out "removing" and inserting: "changing"; Amend Sec. 1 (Sec. 701-A), page 2, line 5, by striking out the bracket before "not"; Amend Sec. 1 (Sec. 701-A), page 2, line 6, by inserting a bracket before "fifteen"; Amend Sec. 1 (Sec. 701-A), page 2, line 6, by inserting after "(\$15,000)]": "twenty-five thousand dollars (\$25,000)".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

HB 2422—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarrafi, | Welner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wagner, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2430—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, I request that House Bill No. 2430 go over in its order. I think there is a misconception in this bill concerning the use of the words, "purchase money mortgagee." Yesterday, I asked the Attorney General for a ruling on it.

Mr. BERGER. Has the bill passed Third Reading, Mr. President?

The PRESIDING OFFICER. The bill is before the Senate

on Final Passage. Does the gentleman desire to put it back to Third Reading?

Mr. BERGER. Yes, if there are to be suggested amendments.

And the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF HB 2430

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which **HB 2430** just passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. MAHADY. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. MAHADY. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Without objection, the bill was passed over in its order at the request of Mr. MAHADY.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 63—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 3 (Sec. 1040), page 2, line 17 by striking out "physical endurance contest race"; Amend Sec. 3 (Sec. 1040), page 2, line 17 by striking out "including those"; Amend Sec. 3 (Sec. 1040), page 2, line 18 by striking out "drag races" and inserting: "a drag race"; Amend Sec. 3 (Sec. 1040), page 3, lines 2 and 3 by striking out "elapsed time or superior performance" and inserting: "speed".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BERGER offered the following amendments:

Amend Title, page 1, fifth line of Title, by striking out "physical endurance contests and"; Amend Title, page 1, sixth line of Title, by striking out "including" and inserting: "commonly known as".

They were agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

HB 117, 203 and 853—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1002—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1057 and 1108—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 1256 and 1257—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 1380—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1597, 1639, 1735 and 1740—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 2209—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2317, 2327, 2413, 2440, 2441, 2443 and 2457—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules, to be held in the office of the President pro tempore.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 2388, 2399 and 2400**.

RESOLUTION REPORTED FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Resolution, **Serial No. 87**, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FEASIBILITY OF THE ESTABLISHMENT OF A STATE TEACHERS' COLLEGE IN THE WEST PHILADELPHIA AREA

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

BILL INTRODUCED AND REFERRED

Messrs. PECHAN and PROPERT, by unanimous consent, presented to the Chair **SB 1272**, entitled:

An Act amending the act of November 19, 1959 (Act No. 557), entitled "An act imposing a tax on real estate for public school purposes in school districts of the first class and first class A for current expenses," placing a ceiling on taxes for school purposes in such districts.

Which was committed to the Committee on Rules.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, recalling **SB 1043** from the Governor for the purpose of amendment.

RESOLUTION RETURNING TO THE GOVERNOR **HB 1897**

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 9, 1959.

Resolved (if the Senate concur), That **HB 1897**, entitled: An Act amending the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," approved May 1, 1929 (P. L. 1216), further regulating the disbursements of funds by brokers.

which was recalled from the Governor October 26, 1959, for the purpose of amendment, be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE

Mr. BERGER, by unanimous consent, on behalf of Mr. RUTH, from the Committee on Rules, rereported, as committed, **HB 1904**.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 1:30 o'clock p. m. I also wish to announce that there will be a Republican Caucus at 12:45 o'clock p. m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:30 o'clock p. m.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **SB 1272**.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 2323 and 2461**, which were referred to the Committee on Rules.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 1207**, which was placed on the Calendar.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 275**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 66, 1608, 1613, 1734, 1830, 1980 and 2423**.

HOUSE CONCURRENT RESOLUTION REFERRED TO
COMMITTEE

He also presented for concurrence House Concurrent Resolution No. 138, which was referred to the Committee on Rules.

The PRESIDING OFFICER. At this time, the Chair relinquishes the gavel to the President pro tempore.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **HB 446, 1322, 1473, 1881, 1981, 2018, 2019, 2273, 2277, 2338, 2380, 2394, 2409, 2455 and 2456.**

The PRESIDENT pro tempore. The Chair now returns the gavel to the gentleman from Schuylkill, Mr. Wagner.

The PRESIDING OFFICER (Paul L. Wagner) in the Chair.

REPORT FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as amended, **HB 1616.**

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 1272, HB 371, 1616, 2388, 2399 and 2400.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, December 14, 1959, at 3:00 o'clock p. m.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 3:10 o'clock p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 9, 1959

The House met at 11:00 a.m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Most gracious God of love, we come to Thee with the prayer that Thou wilt richly bless the members of this House of Representatives. But, O God, we pray for all those within the Hall of this House this day. Grant to each of us a touch of Thy love which will permeate all that we do or say. Give us such a depth of Thy love that our faith may be rooted and grounded in Thee. And inspire us with such an expanse of Thy love that wherever we go and whatever we undertake may be to Thy honor and glory. To Thee be the praise and adoration forever and ever. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, December 8, 1959 will be postponed until printed.

The Chair hears none.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I have been reliably informed that the lunch counters in the Department of Revenue in this state Capitol are selling Washington state apples with the words "Product of the State of Washington, U. S. A." as part of the printing on the wrappers.

It is high time the Governor supports Pennsylvania's agricultural and horticultural products, and that the Governor remembers that he is the Governor of the whole Commonwealth of Pennsylvania, which includes the farming areas of Pennsylvania, and that he is not just the Governor of Pittsburgh.

STATEMENT BY SPEAKER

The SPEAKER. The Chair at this time desires to make a statement.

We read in the Press that annual sessions create a hassle over leadership. We read that the Executive Secretary of His Excellency, the Governor, says it is the opinion of the Attorney General that when we convene next January the House must reorganize.

We appreciate the interest of the Executive Secretary of His Excellency, the Governor, in the procedure of this House, and we also note with interest that the Attorney General "is of the opinion." The opinions of the Attorney General, be they formal or informal, are not governing as far as the procedure of this House is concerned. The decisions of the Attorney General are governing as far as departmental procedure is concerned, governing as far as the official actions of His Excellency, the Governor, are concerned.

When we convene next January, should we pass a measure which in the opinion of the Attorney General contravenes the Constitution, it is the duty of the Attor-

ney General to so inform His Excellency, the Governor. The Governor would veto the legislation, and it would be within the province of the House to sustain or override the veto.

There is difference in the language of the Constitution concerning the situation in the Senate from the situation in the House. Article II, Section 9 of the Constitution provides:

The Senate shall at the beginning and close of each regular session and at such other times as may be necessary, elect one of its members President pro tempore, who shall perform the duties of the Lieutenant Governor, in any case of absence or disability of that officer, and whenever the said office of Lieutenant Governor shall be vacant. The House of Representatives shall elect one of its members as Speaker. Each House shall choose its other officers, and shall judge of the election and qualification of its members.

At the beginning of each regular session the Senate apparently is required to elect a President pro tem. The language insofar as the House is concerned differs. The House of Representatives—not the House at any particular period of its functioning, but the House of Representatives—shall elect one of its Members as Speaker. And, as we know, this House elects a Chief Clerk. This House elects a Secretary. This House appoints committees. And we continue to be "this House"—this House at all the stages of our existence. It is rather important that the situation in the Senate be clarified in order that the right of succession to the Governorship shall not be impaired as far as the President pro tem of the Senate is concerned.

This House is endowed with certain continuing powers. As far as reorganization is concerned, this very morning if a sufficient number of Members were so minded they could elect a new Speaker. They could elect a new Chief Clerk. They could reorganize the Committees. Control over the functioning officers of this House is a continuing control and not confined. The Speaker is not elected for anything except Speaker of this House. The House continues in being. Anytime the House desires and has the number of Members to do it, it can depose the Speaker and elect a new Chief Clerk.

And so the opinion formal or informal, of The Justice Department is without force or validity in so far as the functioning of either branch of this General Assembly is concerned. If it is the opinion of the Attorney General that we should be reorganized, the opinion is a matter of mental curiosity, but it is without validity.

So presuming that the House is not this morning disposed to reorganize, we will take up the regular order of business. And that is exactly what we will do when we reconvene next January, any opinions, formal or informal, to the contrary notwithstanding.

PARLIAMENTARY INQUIRY

Mr. SHERMAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERMAN. Mr. Speaker, do we meet on January 5th by virtue of the bill that was just passed, or by virtue of our Constitution, since casual examination of the Constitution fails to reveal any fact that we meet in 1961 or in any odd numbered year on January 5th or the first Tuesday.

The SPEAKER. The Chair did not quite get the point.

Does the gentleman inquire whether the legislation unfinished when this particular period of our functioning ends, is he asking whether the unfinished business will be transferred when we meet in January?

Mr. SHERMAN. Mr. Speaker, I will try to make it clearer.

From reading the newspapers, or otherwise, I understand that we are meeting at 12 noon on January 5th, to either reorganize or start a new Session.

I fail to see anything in our Pennsylvania Constitution to that effect. The only thing the Pennsylvania Constitution, if I read it correctly in my casual examination, shows that we meet every second year on the first Tuesday of January. Is it by virtue of the bill that we passed and the Constitutional amendment that we meet this January 5th, or on Tuesday, January 5th, or by what reason do we reorganize or meet on January 5th at 12:00 Noon in an odd numbered year?

The SPEAKER. The Chair will read the Article:

"Upon adoption of this amendment the General Assembly shall meet at 12:00 o'clock noon on the first Tuesday of January of the year following such adoption and shall meet at such time annually thereafter and at other times when convened by the Governor at regular Sessions convening in even numbered years, the General Assembly shall not enact any laws except laws relating to revenue and laws making up appropriations."

Mr. SHERMAN. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. BELL. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELL. Mr. Speaker, what would be the status of this House of Representatives if we meet on January 5th, in the afternoon, and we have not, prior to that time, had a adjournment sine die?

The SPEAKER. The Chair desires to answer that in this way: We have by mandate of the Constitution found our functions divided. In one year we can enact general legislation, we meet again the next year, we are the same House, we are the same Legislature, but the Constitution decrees that by reason of our divided functions next year we can enact only legislation relating to appropriations or legislation which has a fiscal import.

As we are now functioning, having jurisdiction over the broad field of legislation, that ends. That ends regardless of a sine die resolution and when we are forbidden by the Constitution to do anything except deal with appropriation and fiscal legislation. And it does not make any difference whether there is or is not a sine die resolution.

Mr. BELL. Mr. Speaker, further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELL. Mr. Speaker, are we then to understand if there is no final adjournment resolution passed that it is the Speaker's determination when we go into the period set by the Constitution for what you might call a fiscal session, that we will be restricted to fiscal matters, unless we are called into Special Session by the Governor?

The SPEAKER. That is right.

Mr. BELL. Thank you, Mr. Speaker.

The SPEAKER. It would be within our power, if it were not for the enactment of a recent revision of the Constitution, for us to have continued in being as we are now for the entire period for which the Members of the House have been elected. But the Constitution says that while we can do that at next year's session we can only deal with a certain type of legislation.

Mr. McCANN. Mr. Speaker, with the discussion that has been going on, I will request permission of this House to turn to page 9 of the calendar, and call up the resolution that deals with this subject.

HOUSE RESOLUTION No. 132

Mr. McCANN. Mr. Speaker. I call up on page 9 of today's calendar, House Resolution No. 132.

The resolution was read as follows:

In the House of Representatives, November 16, 1959.

The recent amendment to Article II Section 4 of the Constitution of the Commonwealth of Pennsylvania which provides for annual sessions of the General Assembly and which restricts regular sessions convening in even-numbered years to laws raising revenue and laws making appropriations has given rise to several important constitutional and procedural questions.

In order to avoid confusion and insure an orderly legislative process it is imperative that the General Assembly be advised as to the proper interpretation of our Constitution in the light of this new amendment. Without advance study and a complete understanding between the two Houses of the General Assembly it is likely that views on what limitations exist upon the nature of bills which may or may not be introduced will differ greatly. Divergent views also exist on this and related questions between individual members in each House therefore be it

Resolved (the Senate concurring) That the Speaker of the House of Representatives appoint three members of the House who are well versed on questions of constitutional law and legislative procedure two of whom shall be Democrats and one a Republican and that the President Pro Tempore of the Senate appoint three members of the Senate who are also well versed on questions of constitutional law and legislative procedure two of whom shall be Republicans and one a Democrat who together shall constitute a joint committee to make a thorough study of the recent amendment to Article II Section 4 of the Pennsylvania Constitution and related constitutional provisions and to define the types of legislation to be considered and limitations thereon for the 1960 annual session and the "fiscal" sessions occurring in even-numbered years thereafter and be it further

Resolved That the committee make a report of its findings together with its recommendation at the beginning of the 1960 Session of the General Assembly.

On the question,

Will the House adopt the resolution?

Mr. A. W. JOHNSON. Mr. Speaker, I believe the Members of the House appreciate very much your discussion this morning as to what is the order of the day as far as the reorganization of this House is concerned, the status of our standing committees and so forth.

This resolution which is on the calendar today was inspired about a month ago when we heard from various sources that the Attorney General's office was studying the method in which we would be permitted to operate, just what bills could be introduced and so forth. It was thought, as expressed by the Speaker this morning, that, after all, this House of Representatives is the one to decide whether a bill is constitutional or whether it is not constitutional, and that it not look to the Attorney General for any direction on that score; that where the

Attorney General comes into the play is when a bill hits the Governor's desk, the Attorney General, being the Governor's lawyer, would tell the Governor whether it was constitutional or not and whether he should sign it or not.

Therefore, it seems pertinent and significant that the House of Representatives and the Senate sit down and study the problem of the narrow limitations of the constitutional amendment on the next Session of the General Assembly.

This resolution was inspired to have a committee of three from each House—there would be two Democrats and one Republican from the House, two Republicans and one Democrat from the Senate—who would be versed in constitutional law, to, in this coming interim between our recess and the opening of the Session on January 5, study the problem and render a report, if they saw fit to do so, as to what types of legislation could be introduced, what the limitations would be on it, and just what ground rules, if any, we would work under with respect to legislation to be introduced next session. We have the resolution in front of us, and it seems the resolution is very timely in that it restores and preserves in the General Assembly the right to determine its own rules and make its own decisions as to constitutionality.

Therefore we ask all Members of the House to support this resolution. It would be work done by this committee during the interim, so that time would not be lost, then, by our recessing until the 5th of January. We would have the committee get together, sit down with the Speaker and with what counsel we might have, and then advise the General Assembly as to how we shall proceed next Session in an orderly and constitutional way.

Mr. McCANN. Mr. Speaker, the statements made by the Minority Leader basically outline some of the major subjects that would be discussed by this committee dealing with Resolution 132.

I would like to add that I believe this committee, when appointed, should, during the period between Christmas and New Year, meet and present all of these problems and come up with their recommendations in writing, a report in mimeographed form to be distributed to all of the Members of this House, so all of these items would be a matter of record. This is very, very important, and I believe it will be helpful in the coming Session. I ask all Members to support the resolution.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

RETURNING HOUSE BILL No. 1897 TO THE GOVERNOR

Mr. BOWMAN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 9, 1959.

Resolved (the Senate concurring), That House Bill No. 1897, Printer's No. 1657, entitled "An act amending the act of May 1, 1929 (P. L. 1216), entitled 'An act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business,' further regulating deposits and disbursements of funds by brokers," which was recalled from the Governor October 26, 1959, for the purpose of amendment, be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE CONCURRENT RESOLUTION SERIAL No. 121

Mr. McCANN. Mr. Speaker, I call up on page 9 of today's calendar, Senate Resolution Serial No. 121.

The resolution was read, considered and adopted as follows:

In the Senate, November 10, 1959.

Whereas, The history of the United States is the history of an ideal of liberty and justice and freedom under representative government; and

Whereas, In our history is written the story of the development of this ideal, through wars and conflicts of opinion; and

Whereas, In February we observe the birthdays of two great Americans, George Washington and Abraham Lincoln, who symbolize in their divergent achievements American's immortal heritage, and are representative of the other great men who toiled and fought to develop our resources and to win and maintain our freedom; now, therefore be it

Resolved (the House of Representatives concurring), That the Governor of this Commonwealth is hereby requested to proclaim the month of February in 1960, and annually thereafter, as "American History Month," and that the citizens of this Commonwealth are hereby urged to formulate and sponsor appropriate programs in the month of February in commemoration of the achievements of George Washington and Abraham Lincoln; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor.

The SPEAKER. There are some bills to be signed. Would the gentleman from Cambria be at liberty to take the Chair?

Mr. LOPRESTI IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2117, entitled:

An Act amending the "Rural State Highway Law" approved June 22, 1931 (P. L. 594) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2118, entitled:

An Act amending the "Borough Rural State Highway Law" approved June 1, 1933 (P. L. 1172) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2119, entitled:

An Act amending the "City State Highway Law" approved June 22, 1931 (P. L. 720) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2444, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 2463, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 1266, entitled:

An Act requiring certain authorities to grant the right to political subdivisions to flush their fire hydrants.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. GELFAND for today, because of illness in the family.
Mrs. Varallo for Mr. SILVERMAN for today.
Mrs. Varallo for Mr. SCHWARTZ for today.
Mrs. Varallo for Mr. ROVANSEK for today.
Mr. Tompkins for Mr. LIGHT for today.
Mr. Tompkins for Mr. DENGLER for today.

Mr. Tompkins for Mr. A. M. LEE for today.
Mr. Tompkins for Mr. J. H. GOLDSTEIN for today.
Mr. Tompkins for Mr. BRENNINGER for today.
Mr. Tompkins for Mr. WHITTAKER for today.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 2323, entitled:

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts * * *" providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty, | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Sakulsky, |
| Barton, | Gallagher, | McKeever, | Scarcell, |
| Bell, | Garlock, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Mages, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenshield, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cloff, | Horst, | Mullen, | Strausser, |
| Clarke, | Irlis, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varnier, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odorisio, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weldner, |
| Down, | Kelser, | O'Neil, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Elberg, | Kessler, | Pashley, | Williams, A. D. Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Polaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|---------------------|------------|
| Boies, | Goodrich, | Moran, | Steckel, |
| Branca, | Hefner, | Murphy, A. J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujohai, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovansek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 275, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings and making an appropriation.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—150

| | | | |
|------------|-------------------|-------------------|---------------------|
| Agnew, | Flynn, | Lutty, | Royer, |
| Anderson, | Foerster, | McCann, | Rudisill, |
| Arlene, | Frank, | McDonald, | Sakulsky, |
| Balthaser, | Frascella, | McKeever, | Scarcelli, |
| Bell, | Fulmer, | McLaughlin, | Schaaf, |
| Blair, | Galley, | Machmer, | Seltzer, |
| Bonner, | Gallagher, | Mahan, | Sherman, |
| Boris, | Garlock, | Markley, | Shupnik, |
| Bower, | Goldstein, M. H., | Maxwell, | Snare, |
| Bowman, | Gramlich, | Meholchick, | Snider, |
| Breth, | Guthrie, | Mihm, | Stank, |
| Buchanan, | Hamilton, | Miller, B. Z., | Stevens, |
| Burns, | Haudenschild, | Mills, | Stewart, |
| Capano, | Heavey, | Muldowney, | Stimmel, |
| Capitolo, | Helm, | Mullen, | Stone, |
| Cianfrani, | Holt, | Munley, | Sullivan, |
| Cioffi, | Irvia, | Murphy, P. J., | Taylor, |
| Clarke, | Isaacs, | Murray, H. P., | Thompson, |
| Comer, | Jenkins, | Murray, J. J., | Tompkins, |
| Curwood, | Jim, | Musto, | Varallo, |
| Davis, | Johnson, A. W., | Needham, | Varner, |
| Dennis, | Johnson, R., | Nelson, | Verona, |
| Dennison, | Jones, F. R., | O'Donnell, J. A., | Wall, |
| Devlin, | Kamyk, | Odorisio, | Wargo, |
| Donahue, | Kee, | O'Neil, | Weldner, |
| Donaldson, | Kelser, | Parlante, | Welsh, |
| Dougherty, | Kernaghan, | Pashley, | Wescott, |
| Down, | Kessler, | Perry, H. H., | Williams, A.D. Jr., |
| Edwards, | Knecht, | Perry, P. E., | Williams, E. S., |
| Ellberg, | Korns, | Petrosky, | Willard, |
| Eshback, | Kovolenko, | Polaski, | Wood, |
| Eshleman, | Kubitsky, | Polen, | Worley, |
| Ewing, | Lee, K. B., | Prendergast, | Yatron, |
| Farabaugh, | Leonard, | Price, | Yetter, |
| Fetterolf, | Limper, | Pursley, | Zimmerman, |
| Filo, | Lippincott, | Reibman, | |
| Fineman, | Lopresti, | Renwick, | |
| Floyd, | Luigard, | Riley, | |
| | | | Andrews, Speaker |

NAYS—17

| | | | |
|---------|------------------|----------------|------------|
| Ashton, | Hocker, | Kooker, | Ogilvie, |
| Auker, | Holliday, | McCandless, | Rigby, |
| Barton, | Horst, | Magee, | Stoner, |
| Fox, | Jones, T. H. W., | Miller, H. G., | Strausser, |
| Henzel, | | | |

NOT VOTING—43

| | | | |
|-------------------|-------------|--------------------|------------|
| Boies, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A.J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovansek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, today in the city of Pittsburgh almost 200,000 people are without streetcar and bus service. This is due to the fact that a streetcar and bus strike has been called by the employes of the Pittsburgh Railways Company.

With the merits of the dispute we have no concern or no knowledge, but we say to you that the citizens of our city would be having transportation service today if House Bill 962 had been passed. If House Bill 962 had been passed one of the first official acts of Mayor Joseph M. Barr would have been to have called upon Governor David L. Lawrence to appoint a mediator. That mediator upon his appointment would cause a suspension of a strike situation in that city. Bill 962, is not a labor baiting bill. We must realize that the thought on various situations in government changes from time to time.

I read with great interest in the newspaper, The Post Gazette, this morning, a statement by Adlai Stevenson, which read as follows: "Adlai urges Presidential strike power." And he states in part, "when the public is denied alternative sources of supplies it is entitled to demand that the supplies not be shut off."

We say to you, it is not too late to release House Bill 962; we think that labor itself would be in favor of this bill. As strange as it may seem, early in this Session when we passed the transit bill, House Bill 1297, it contained a provision for compulsory arbitration, similar to that inserted in House Bill 962. This provision for compulsory arbitration was inserted by labor itself. If labor felt that way when it did not have any right to strike whatsoever in connection with the operation of an authority, that it would like to be protected by compulsory arbitration, we can not see why they should oppose this particular bill.

We say to those who opposed legislation of this type in the past, reexamine your thinking, and we plead with the Chairman of the Committee on Labor Relations and with the leadership on the other side to make a reexamination of that situation and the implications of House Bill 962 and place it upon the floor of the House for discussion, amendment and correction if necessary, so that 200,000 people in the city of Pittsburgh will have transportation service at the earliest possible moment.

INTERROGATION

Mr. RIGBY asked and obtained unanimous consent to interrogate Mr. Wargo.

Mr. RIGBY. Mr. Speaker, we have all heard Mr. Goldstein speak of the disastrous strike that is facing the citizens of not only Pittsburgh, but of Allegheny County and a great many boroughs also. I would like to know

from the Chairman if he is contemplating a meeting of his Committee.

Mr. WARGO. Mr. Speaker, when the gentleman from Allegheny, Mr. Goldstein, first offered his discharge resolution on that bill I stated and I can assure the gentleman that I shall take this matter up with all parties involved, and when I say all parties involved I also mean the labor unions in on this problem.

Mr. RIGBY. Mr. Speaker, I think if the Chairman would take it up with his Committee today there may be a different feeling because at the time the discharge resolution was presented, we were not faced with this disastrous strike. We have had a strike in 1954 and 1957 and now here in 1959, we have the same, we are facing the same thing. We have reached the point in our way of living that transportation is the life line of the community. This bill will only put the transportation workers in the same category as the utility workers, your police and firemen. I say that they are striking against the people.

I believe this is a necessary bill and I would wish that the Chairman would reconsider having a meeting, have it now and that the committee act fairly upon this legislation, because it has reached the point in Pittsburgh and Allegheny County where this is a must. We can not exist. Our economy is affected with the 1,700 men striking, and I assure you there will be many, many more than that laid off because it is going to affect our buying power in the city, our stores, our businesses, if they can not get to work and it creates a traffic problem, Mr. Wargo, which I wish you could see.

Mr. WARGO. Mr. Speaker, I shall assure the gentleman that this bill will get every consideration.

Mr. RIGBY. I did not hear the gentleman, Mr. Speaker.

Mr. WARGO. I can assure the gentleman from Allegheny, Mr. Rigby, that this bill will get every consideration.

Mr. RIGBY. May I ask the gentleman when?

Mr. WARGO. Mr. Speaker, I would not say that this is an improper question. However, there are many individuals and organizations I would like to contact first on this bill before I give it immediate consideration.

Mr. RIGBY. Well, I hope that these individuals that you are speaking of, will be contacted very soon, because time is running out. Time is running out on the economy of our great city. Our new mayor has worked since he has taken office, I would guess 16 to 18 hours a day, faithfully and well. He presented a solution to these people, and they literally threw it back into his face. I say there should be something more done in considering 1,700 people, since this affects the lives of so many thousands and also the economy of our city.

I wish the Chairman, Mr. Wargo, would consider it immediately and that his Committee would vote on it, probably bring it out on the floor, because I think it is a piece of legislation that should be discussed on the floor, it should not be buried in Committee. This is something that affects too many people for a Committee of 22, or whatever number it might be, to decide to bottle it up. It is just not the right thing to do. I think the Committee should act on it favorably and bring it out and let the matter be discussed on this floor. I might add the time would be today. Today is the day to do it.

Mr. FOERSTER. Mr. Speaker, certainly the strike in the city of Pittsburgh is a strike against the people, but it can

be laid directly at the feet of the company, because earlier during negotiations the union offered to arbitrate the issues and to have the results binding on both parties, but Mr. C. D. Palmer of the Pittsburgh Railway Company rejected this and certainly it is the fault of the company that the people of the city of Pittsburgh are without transportation today.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am particularly pleased that the gentleman from Allegheny, Mr. Foerster, pointed out the dilemma.

He indicated that the union was willing to comply and abide by the results of compulsory arbitration. Why should the citizens of the city of Pittsburgh beg either labor or management to have a worthwhile result? Today management turned down compulsory arbitration because there was no law to bring it about.

If you pass House Bill No. 962 the people will not be the slaves of management or labor, but the people will be the master of both.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 2295, Printer's No. 2004,
was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers upon the Department of Highways and local authorities * * * for sharing of the cost * * * of such highways.

On the question,

Will the House agree to the bill on third reading?

Mr. COMER asked unanimous consent to offer amendments at this time.

Amend Sec. 302, page 38, line 7, by striking out "25086" and inserting: "35086."

Amend Sec. 302, page 38, by inserting between lines 11 and 12:

"Route 35091. Beginning at a point on the Carbondale Township line running in a northeasterly direction to the intersection of Pike Street Legislative Route 6, Station 638+38. A total distance of approximately 4,000 lineal feet or .75 miles in the City of Carbondale, Lackawanna County."

Amend Sec. 402, page 42, by inserting between lines 9 and 10:

"Adams County

"Route 01081. Beginning at the intersection of Legislative Route 01032 and Township Road 449, thence in a southeasterly direction over Township Road 449, to its intersection with State Highway Route 194, a distance of 1.5 miles in Union Township, Adams County."

Amend Sec. 402, page 42, by inserting between lines 15 and 16:

"Armstrong County

"Route 03171. Beginning at the intersection of Legislative Route 03097 and Township Road 454, thence in a southerly direction over Township Road to its intersection

with Legislative Route 03043 for a distance of approximately 6.4 miles in Kishiminetas Township, Armstrong County."

Amend Sec. 402, page 45, by inserting between lines 12 and 13:

"Route 11121. Beginning at the intersection of Township Road 444, with Legislative Route 11031, thence northeasterly along Township Road 444 to its intersection with Township Road 445, thence along Township Road 445, easterly to its intersection with Township Road 442, thence northeasterly along Township Road 442 and easterly along Township Road 445 to the line of Allegheny Township, a distance of about 2.4 miles in Munster Township, Cambria County."

"Route 11122. Beginning on Township Route 445 at the boundary line between Munster and Allegheny Townships thence easterly along Township Route 445 in Allegheny Township about 0.3 of a mile to the Allegheny-Cresson Townships line thence easterly over Township Route 445 about .6 of a mile in Cresson Township to its intersection with State highway Route 45, a total distance of about .9 of a mile in Allegheny and Cresson Townships, Cambria County."

Amend Sec. 402, page 45, by inserting between lines 12 and 13:

"Carbon County

"Route 13049. Beginning at the intersection of Legislative Route 13011 and Township Road 419, thence in a northeasterly direction over Township Road 419 to a point in Franklin Township, Carbon County, a distance of approximately .5 miles in Franklin Township, Carbon County."

"Centre County

"Route 14063. Beginning at a point on Route 864, approximately two miles southeast of the village of Cassanova thence in a northwesterly direction on Township Road 328 to a point in Rush Township on the Centre-Clearfield County line a distance of about .70 miles in Rush Township, Centre County."

Amend Sec. 402, page 47, by inserting between lines 11 and 12:

"Route 17149. Beginning at the intersection of State Route 234 and Township Route No. 860, thence in a southeasterly direction over Township Route No. 860 to the Cambria County line, a distance of about 1.0 mile in Becaria Township, Clearfield County"

"Cumberland County

"Route 21100. Beginning at the intersection of Legislative Route 21014 thence northerly and easterly over Township Route 622, Lower Allen Township to the intersection of Legislative Route 123, a distance of about 0.8 miles all in Lower Allen Township, Cumberland County."

Amend Sec. 402, page 51, by inserting between lines 16 and 17:

"Route 29048. Beginning at a point on Legislative Route 29039 at a point 2.6 miles northeast of its intersection with Legislative Route 29019 thence northeasterly over Township Road 392; 0.1 of a mile to its intersection with Township Road 403, thence south 0.4 of a mile; thence north and northwesterly 1.5 miles to its intersection with Township Road 392, thence over Township Road 392 in a westerly direction, a distance of 0.4 of a mile to its intersection with Legislative Route 29019, a total distance of about 2.4 miles in Brush Creek Township, Fulton County."

Amend Sec. 402, page 52, by inserting between lines 2 and 3:

"Huntingdon County

"Route 31112. Beginning at the intersection of State Highway Route 545 and Township Route 560, thence in an easterly direction over Township Route 560 for a distance of about 0.23 miles and over Township Route 498 for a distance of about .7 miles, and over Township Route 486 for a distance of about .25 miles to a connection with a State Forestry Road in the Logan State Forest a total distance of about 1.18 miles in Miller Township Huntingdon County."

Amend Sec. 402, page 53, by inserting between lines 12 and 13:

"Lehigh County

"Route 39123. Beginning at the intersection of Legisla-

tive Route 157 (U. S. 222) thence extending eastwardly over Township Road 858 to its intersection with Legislative Route 39066 and Legislative Route 39046 Spur E, a distance of .3 miles in Upper Macungie Township, Lehigh County."

Amend Sec. 402, page 55, by inserting between lines 5 and 6:

"Mercer County

"Route 43126. Beginning at a point at the intersection of Legislative Route 43030 and Legislative Route 43078 thence in a northerly direction to an intersection with Legislative Route 43054, also known as State Highway Route 965 thence in a northwesterly and westerly direction to an intersection with Traffic Route 78, a distance of about 3.8 miles in Worth and Sandy Lake Townships, Mercer County."

Amend Sec. 402, page 55, by inserting between lines 6 and 7:

"Route 45094. Beginning at the intersection of Application 5767 and Legislative Route 45074, Township of Jackson and running in a general eastwardly direction through the Townships of Jackson and Pocono to the intersection of Legislative Route 168 at a point approximately 1800 feet north of the Village of Bartonsville a total length of 4.3 miles in Jackson and Pocono Township in Monroe County."

Amend Sec. 402, page 58, by inserting between lines 3, and 4:

"Route 48115. Beginning at the intersection of Legislative Route 48006 and Township Road 396, thence northeasterly over Township Road 396, to its intersection with Legislative Route 48008 a distance of 2.6 miles in Williams Township, Northampton County."

"Route 48117. Beginning at the intersection of Legislative Route 48094, and Township Road 381, a point approximately .27 miles east of the Borough line of Hellertown; thence eastwardly over Township Road 381 to its intersection with Legislative Route 48009 and Township Road 382 in the Village of Wassergass, a distance of 1.9 miles, in the Township of Lower Saucon, Northampton County."

"Route 48118. Beginning at the intersection of Legislative Route 297 (T. R. 12) and Township Road 389, thence eastwardly over Township Road 389 to its intersection with Township Road 376, a distance of .5 miles; thence southeasterly over Township Road 376 to its intersection with Legislative Route 48003, a distance of 1.1 mile or a total length of 1.6 miles in lower Saucon Township, Northampton County."

"Route 48119. Beginning at the intersection of Legislative Route 48093 and Township Road 382, a point of .2 miles north of the Northampton-Bucks County line, thence northwardly over Township Road 382 to its intersection with Legislative Route 48009 in the Village of Wassergass, a distance of 1.6 miles in the Township of Lower Saucon, Northampton County."

Amend Sec. 402, page 59, by inserting between lines 5, and 6:

"Pike County

"Route 51037. Beginning at the intersection of Legislative Route 8, and Bennett Street, thence in a southeasterly direction over Bennett Street to the intersection with Minerva Avenue a distance of about .2 miles, in Milford Township, Pike County."

Amend Sec. 402, page 59, by inserting between lines 9, and 10:

"Somerset County

"Route 55167. Beginning at a point at the intersection of Legislative Route 55074 and Township Route 641, thence in a northwesterly direction over Township Route 641, a distance of .2 miles to an intersection with Township Route 460, thence in a northwesterly direction over Township Route 460 to the intersection of Legislative Route 55080 Legislative Route 55150 and Township Route 448, a distance .6 miles, a total distance of .8 miles in Lincoln Township, Somerset County."

"Route 55168. Beginning at the intersection of Township Route 809 and Legislative Route 55115, thence in a southwesterly direction along Township Route 809 a distance of .2 miles to the intersection of Township Route 809 and Township Route 801, thence in a southwesterly direction

along Township Route 809 a distance of .1 mile to the intersection of Township Route 809 and Legislative Route 50, Traffic Route 53, a total distance of .3 miles in Lower Turkeyfoot Township, Somerset County."

"Union County

"Route 59050. Beginning at the intersection of Front Street, New Berlin Boro and Township Route No. 325, thence in a westerly direction over Township Route 325 to its intersection with Legislative Route 27, a distance of approximately .40 miles in Limestone Township, Union County."

Amend Sec. 402, page 62, by inserting between lines 2, and 3:

"Route 64281. Beginning at a point on State Highway 120, and proceeding in a northeasterly direction over Township Roads 753, 448, and 839 to a point on State Highway 639 a distance of 2.10 miles in North Huntingdon Township, Westmoreland County."

Amend Sec. 402, page 62, inserting between lines 15, and 16:

"Route 66217. Beginning at the North Borough line and High Street, thence northerly over Route 952 in East Manchester Township to intersection with Legislative Route 66153 a distance of about 1.8 miles in East Manchester Township, York County."

Amend Sec. 502, page 74, by inserting between lines 13 and 14:

"Route 40157. Beginning at the intersection of Slocum Street and Route 11 in the Borough of Forty Fort and in a westerly direction over Slocum Street through the Boroughs of Forty Fort and Swoyerville to its intersection with the State Highway Route 11 extension, a distance of about 1.1 mile in Forty Fort and Swoyerville Boroughs, Luzerne County."

Amend Sec. 502, page 74, line 15, by striking out "40163" and inserting: "40161."

Amend Sec. 502, page 75, by inserting between lines 2 and 3:

"Lycoming County
"Montoursville Borough

"Route 41152. Beginning at a point where Township Road 543 meets the borough line of the Borough of Montoursville, thence along a continuation of said road in the Borough of Montoursville to a point where said road meets State Spur 291, also known as Fairview Drive a distance of about .2 miles in Montoursville Borough, Lycoming County."

"Mercer County
"Grove City Borough

"Route 43125. Beginning at the intersection of South Center Street and West Poplar Street, thence easterly over West Poplar Street to South Broad Street, thence northerly over South Broad Street to West Main Street, a distance of about .195 mile in Grove City Borough, Mercer County."

"Route 43127. Beginning at the intersection of North Broad Street and Erie Street, thence westwardly over Erie Street to North Center Street, thence in a southerly direction over South Center Street to West Main Street, a distance of about .34 of a mile in the Borough of Grove City, Mercer County."

Amend Sec. 502, page 75 by inserting between lines 15 and 16:

"Pen Argyl Borough

"Route 48116. Beginning at the intersection of Legislative Route No. 48038 and Main Street, thence easterly over Main Street to the intersection of Main Street and Legislative Route No. 165 and Pennsylvania Avenue, a distance of about .75 of a mile in the Borough of Pen Argyl, Northampton County."

"Schuylkill County
"Schuylkill Haven Borough

"Route 53124. Beginning at a point on the road known as Garfield Avenue at the North Manheim Township-Schuylkill Haven Borough line, thence in a southerly direction along said road to its intersection with Center Avenue, a distance of about 2128 feet in Schuylkill Haven Borough, Schuylkill County."

"Somerset County
"Somerset Borough

"Route 55169. Beginning at the intersection of Legislative Route 52, Traffic Route 53 or Stoyestown Road and Pleasant Avenue thence in a southerly direction along Pleasant Avenue a distance of .3 mile to the intersection of Pleasant Avenue and Patriot Street, thence in a westerly direction for a distance of .25 mile along Patriot Street to the intersection of Patriot Street and South Center Avenue, Legislative Route 50, Traffic Route 53, a total distance of 0.55 mile in Somerset Borough, Somerset County."

"Route 55170. Beginning at the intersection of Franklin Avenue and Tayman Avenue or Legislative Route 50, Traffic Route 53, thence in a southerly direction along Franklin Avenue a distance of approximately .8 mile to the intersection of Franklin Avenue and A-1616 or Cannel Drive in the Borough of Somerset, Somerset County."

Amend Sec. 502, page 76 by inserting between lines 6 and 7:

"Wyoming County
"Tunkhannock Borough

"Route 65077. Beginning at the intersection of Franklin Avenue and Legislative Route 241, thence in a south-westerly direction over Franklin Avenue to the Pennsylvania Department of Highways property line, a distance of .20 miles in the Borough of Tunkhannock, Wyoming County."

Amend Sec. 502, page 76 by inserting between lines 16 and 17:

"Manchester Borough

"Route 66216. Beginning at the intersection of Route 66002, 66021 and Musser Street in Manchester Borough, thence in an easterly direction to the intersection of Legislative Route 250 and Musser Street a distance of .2 mile in the Borough of Manchester, York County."

Amend Sec. 402, page 42, by inserting between lines 9 and 10:

"Adams County

"Route 01082. Beginning at a point on Legislative Route 44 at Station 118—62; thence extending over Township Road 809 in a westerly and northwesterly direction to its intersection with Township Road 701 at the Franklin-Adams County line, a distance of 2 miles, in Hamiltonban Township, Adams County."

Amend Sec. 402, page 42, by inserting between lines 15 and 16:

"Route 02334. Beginning on the line dividing the Borough of Leetsdale and the Township of Leet on the westerly side of Leet Township; thence in a northeasterly direction to the intersection of Main Street and Ambridge Avenue, including herein all of the street known as Main Street in the Township of Leet as recorded in the Recorder's office of Allegheny County, a distance of 1525 feet in Leet Township, Allegheny County."

Amend Sec. 402, page 42, by inserting between lines 15 and 16:

"Route 02335. Beginning at the point on Ambridge Avenue at the present terminus of the State Highway; thence in a westerly direction to the intersection of Ambridge Avenue and Main Street as recorded in the Recorder's Office of Allegheny County, a distance of 1610 feet, in Leet Township, Allegheny County."

Amend Sec. 402, page 42 by inserting between lines 15 and 16:

"Route 04132. Beginning at the South Heights Borough-Hopewell Township line on old South Heights Road (formerly Legislative Route Number 445), thence in a westerly direction over said old South Heights Road to its intersection with State Highway Route 51, also known as Brodhead Road, a distance of about .6 of a mile in Hopewell Township, Beaver County."

Amend Sec. 402, page 43, by inserting between lines 1 and 2:

"Bradford County

"Route 08196. Beginning at the intersection of State Highway Route 08065 and Township Road 862, thence in a northerly direction over said Township Road 862 to its intersection with Township Road 823, thence in an easterly direction along Township Road 823 for a distance of approximately 1,000 feet to the Athens Borough line, a dis-

tance of about 1.6 miles, in Athens Township, Broadford County."

Amend Sec. 402, page 43, by inserting between lines 1 and 2:

"Bradford County

"Route 08197. Beginning at a point on Legislative Route 08056, approximately two miles southeast of Wetona in Springfield Township, thence in a northerly and northeasterly direction along a township road crossing Legislative Route 08063 to the intersection with Legislative Route 08054, a distance of about 3.5 miles, in Springfield Township, Bradford County.

Amend Sec. 402, page 43, by inserting between lines 1 and 2:

"Bradford County

"Route 08198. Beginning at the intersection of Legislative Route 343, thence in a northerly direction over Township Road 768 to its intersection with Legislative Route 08090, a distance of approximately 3.6 miles, in Orwell Township, Bradford County."

Amend Sec. 402, page 44, by inserting between lines 2 and 3:

"Route 10150. Beginning at a point at the intersection of Legislative Route 10066 and Township Route 398; thence in a northerly direction over Township Route 398 to the Mercer County line, a distance of about 1 mile in Slippery Rock Township, Butler County."

Amend Sec. 402, page 45, by inserting between lines 12 and 13:

"Cameron County

"Route 13048. Beginning at a point on Route 105 near Sterling Run; thence in a northwesterly and westerly direction through Lumber Township to the Tannery School, in Cameron County, a distance of about 1.75 miles.

"Route 13049. Beginning at a point on the Shippen Township-Emporium Borough line at the South Broad Street Bridge; thence in a general southwesterly direction through Shippen Township, in Cameron County, a distance of about 6.7 miles.

Amend Sec. 402, page 47, by inserting between lines 11 and 12:

"Crawford County

"Route 20161. Beginning at a point on Route 82, about .4 of a mile south of the Village of Adamsville, thence east in West Fallowfield Township, along the road now known as Township Road 370 for about .2 miles to the intersection of Legislative Route 20014, in West Fallowfield Township, Crawford County.

Amend Sec. 402, page 50, by inserting between lines 17 and 18:

"Route 27033. Beginning at a point on Legislative Route 27025 at Jamison; thence along Township Route T-306, northwesterly to Route 511, at a point .4 miles south of Stewart's Run, a distance of about 3.7 miles, in Harmony Township, Forest County."

Amend Sec. 402, page 50, by inserting between lines 17 and 18:

Route 27034. Beginning at a point on Legislative Route 2707, in Kingsley Township, (rather than 27027) about 0.9 miles northeast of Starr; thence northeasterly along Township Route T-357 to Legislative Route 27017, a distance of about 4.3 miles, in Kingsley and Hickory Townships, Forest County."

Amend Sec. 402, page 51, by inserting between lines 3 and 4:

"Route 28090. Beginning at the intersection of Traffic Route 75 and Fannett Township Road 580, thence in an easterly direction over Fannett Township Road 580 to the Perry County line, a distance of about 2.55 miles in Fannett Township, Franklin County."

Amend Sec. 402, page 51, by inserting between lines 3 and 4:

"Route 28091. Beginning at a point of intersection with Route 340, Franklin County, Station 300 + 539, thence north over Township Road 539 about 0.4 miles to intersection of Township Road 538, thence north over Township Road 538 to Gate 1 of the Letterkenny Ordinance Depot, about 0.45 miles; a distance of about 0.85 miles, in Greene Township, Franklin County."

Amend Sec. 402, page 52, by inserting between lines 2 and 3:

"Huntingdon County

"Route 31113. Beginning on Township Route 31442 at the Brady Township-Henderson Township line; thence in a northerly direction over Township Route 31442, for a distance of about 1.9 miles; thence over Township Route 31570, for a distance of about 0.4 miles; thence over Township Route 31449, for a distance of about 2.1 miles, to the Henderson Township-Brady Township line, all in Henderson Township; thence over Township Route 31449 for a distance of 0.1 miles in Brady Township; thence over Township Route 31452 for a distance of 0.1 miles to the Brady Township-Henderson Township line; thence in a northeasterly direction over Township Route 31452 for a distance of 1.4 miles in Henderson Township, to its intersection with Legislative Route 31042, a total distance of about 6.0 miles in Brady and Henderson Townships, Huntingdon County."

Amend Sec. 402, page 52, by inserting between lines 2 and 3:

"Huntingdon County

"Route 31114. Beginning at the intersection of Legislative Routes 31088 and 31092 and Township Route 505, thence in a northwesterly direction over Township Route 505 for a distance of about 0.66 miles, thence in a northeasterly direction over Township Route 505 for a distance of about 2.67 miles, to its intersection with Legislative Route 31087, a total distance of about 3.33 miles, in Logan Township, Huntingdon County."

Amend Sec. 402, page 52, by inserting between lines 11 and 12:

"Route 33102. Beginning at the intersection of Legislative Route 33003 and Township Route 318, thence in a westerly and southwesterly direction over Township Route 318 to its intersection with State Route 357, a distance of about 1.5 miles, in Ringgold Township, Jefferson County."

Amend Sec. 402, page 52, by inserting between lines 11 and 12:

"Route 33103. Beginning at the intersection of Legislative Route 33003 and Township Route 337, thence in a westerly direction over Township Route 337 for a distance of about 1.7 miles to its intersection with Township Route 320, thence in a southwesterly direction over Township Route 320 for a distance of about 0.5 miles to its intersection with Township Route 337, thence in a northwesterly direction over Township Route 337 for a distance of about 0.4 miles to the Clarion County line, a total distance of about 2.6 miles, in Beaver Township, Jefferson County."

Amend Sec. 402, page 52, by inserting between line 16 and 17:

"Route 34069. Beginning at the Perry and Juniata County line; thence in a northerly direction over Township Route 308, in Lack Township, to the intersection of Township Route 307, a distance of 1.1 miles, in Lack Township, Juniata County."

Amend Sec. 402, page 52, by inserting between lines 16 and 17:

"Route 34070. Beginning at the intersection of Route 34002; thence in an easterly direction over 305 in Lack and Tuscora Townships to the intersection with Route 34003 in Tuscora Township, a distance of about 4 miles, in Lack and Tuscora Townships, Juniata County."

Amend Sec. 402, page 52, by inserting between lines 16 and 17:

"Route 35071. Beginning at the intersection of Route 34009 near Mount Zion U. B. Church; thence easterly over 510 and 487, in Monroe Township, to the Juniata and Snyder County line, a distance of 3 miles, in Monroe Township, Juniata County."

Amend Sec. 402, page 52, by inserting between lines 16 and 17:

"Route 34072. Beginning at State Highway Route 45, thence in a northwesterly direction over Township Route 305 to the Huntingdon County line, a distance of about 1.2 miles, in Lack Township, Juniata County."

Amend Sec. 402, page 53, by inserting between lines 12 and 13:

"Route 30592. Beginning at the intersection of Route 615 Spur, and Township Road 506, thence in a northwesterly direction over Township Road 506, to its intersection with Route 615, a distance of about 1.4 miles in Scott Township, Lackawanna County."

Amend Sec. 402, page 53, by inserting between lines 12 and 13:

"Route 35093. Beginning at the intersection of Route 648 and Township Road 512, in Scott Township, thence in a northeasterly direction over Township Road 512, in Scott, Greenfield and Fell Townships, to the intersection with Route 174, a distance of about 3.3 miles, in Scott, Greenfield and Fell Townships, Lackawanna County."

Amend Sec. 402, page 53, by inserting between lines 12 and 13:

"Lawrence County

"Route 37085. Beginning at a point on Legislative Route 37014; thence in a southerly direction over Township Route 505 to the intersection with Township Route 500, a distance of approximately .66 miles in Taylor Township, Lawrence County."

Amend Sec. 402, page 53, by inserting between lines 12 and 13:

"Lawrence County

"Route 37086. Beginning at the intersection of Route 37079 approximately 500 feet south of Route 233, thence in an easterly direction over a township road to its intersection with Route 37070, a distance of approximately 500 feet, in Scott Township, Lawrence County."

Amend Sec. 402, page 55, by inserting between lines 5 and 6:

"Route 40162. Beginning on Middle Road at the Nanticoke City-Hanover Township Line; thence in an easterly direction over Township Road 871 to South Main Street, Wilkes-Barre City at the Hanover Township-Wilkes-Barre City Line, a distance of about 5.0 miles in Hanover Township, Luzerne County."

Amend Sec. 402, page 55, by inserting between lines 5 and 6:

"Mercer County

"Route . . . Beginning at the intersection of Township Road 616 with Legislative Route 43064, thence extending in a northerly direction on Township Road 616 to its intersection with Legislative Route 43066, a distance of about 1.7 miles in Salem Township, Mercer County."

Amend Sec. 402, page 55, by inserting between lines 5 and 6:

"Mercer County

"Route 43127. Beginning at a point on State Highway Route 58 approximately 1 mile southeast of the Borough of Jamestown at the intersection of said State Highway Route 58 and a township road in Greene Township, thence in an easterly direction over said township road through Sugar Grove Township crossing State Highway Route 18, and Legislative Route 43063, thence continuing in an easterly direction over said township road through Salem Township, crossing Legislative Route 43046, thence continuing in an easterly direction to the intersection of said township road with Legislative Route 43067, in Sandy Creek Township, a total distance of about 9.0 miles in Greene, Sugar Grove, Salem and Sandy Townships, Mercer County."

Amend Sec. 402, page 59, by inserting between lines 5 and 6:

"Perry County

"Route 50055. Beginning at the Franklin-Perry County line, thence in a northeasterly direction over Township Road 393 to the intersection of Perry-Juniata County line all in Toboyne Township, Perry County, a distance of about 6.7 miles."

Amend Sec. 402, page 59, by inserting between lines 9 and 10:

"Union County

"Route 49051. Beginning at a point on Route 27; thence in an easterly direction over Township Road 329 to the intersection with Township Road 519 in Monroe Township, Snyder County, a distance of approximately 4 miles in Union Township, Union County."

Amend Sec. 402, page 59, by inserting between lines 9 and 10:

"Route 54078. Beginning at a point at the Snyder-Union County line on Township Road 519; thence in an easterly direction over Township Road 519 to the intersection with Legislative Route 54064, a distance of approximately 1.1 miles in Monroe Township, Snyder County."

Amend Sec. 402, page 59, by inserting between lines 9 and 10:

"Tioga County

"Route 58132. Beginning on Township Route 734 at the Borough of Mansfield-Richmond Township line, thence in a northerly direction over Township Route 734 to its intersection with Legislative Route 58044, a distance of about 2.5 miles in Richmond Township, Tioga County."

Amend Sec. 402, page 59, by inserting after line 18:

"Route 60088. Beginning at the intersection of Legislative Route 91 and Township Road 446; thence in a northerly direction over Township Road 446 to the intersection with Legislative Route 60032, a distance of about 8.30 miles in Sugar Creek and Oakland Townships, Venango County."

Amend Sec. 402, page 59, by inserting after line 18:

"Route 60089. Beginning at the intersection of Legislative Route 75 and Township Route 550, thence over Township Route 550 to its intersection with Legislative Route 60064, a distance of about 0.8 miles in Richland Township, Venango County."

Amend Sec. 402, page 60, by inserting between lines 12 and 13:

"Wayne County

"Route 63139. Beginning at the intersection of Legislative Route 63119 and Township Road 513, thence over Township Road 513 in an easterly direction to its intersection with Legislative Route 63109, a distance of about 3.52 miles, in Berlin Township, Wayne County."

Amend Sec. 402, page 60, by inserting between lines 12 and 13:

"Wayne County

"Route 63140. Beginning at a point on State Highway Route 950, thence over Township Road 578 in a northerly direction, a distance of approximately 1.5 miles, to the intersection with Township Road 552; thence in a southeasterly direction over Township Road 552, a distance of approximately 3.1 miles, to the intersection with Township Road 554; thence over Township Road 554 in a southwesterly direction, a distance of approximately 0.79 miles, to the intersection with State Highway Route 950, a total distance of approximately 5.39 miles, in Mount Pleasant and Dyberry Townships, Wayne County."

Amend Sec. 402, page 60, by inserting between lines 12 and 13:

"Wayne County

"Route 63141. Beginning at the intersection of Legislative Route 950; thence in a northerly direction over Township Road 560 to its intersection with Legislative Route 945, a distance of approximately 1.9 miles, in Mount Pleasant Township, Wayne County."

Amend Sec. 402, page 60, by inserting between lines 12 and 13:

"Wayne County

"Route 63142. Beginning at the Honesdale Borough line at the intersection of Weniger Hill Road; thence over Township Road 538, a distance of 0.9 miles, to intersection with Township Road 540; thence in a southerly direction over Township Road 540, a distance of 0.7 miles, to the intersection with Watts Hill Road and Honesdale Borough line, a total distance of 1.6 miles, in Dyberry Township, Wayne County."

Amend Sec. 402, page 60, by inserting between lines 12 and 13:

"Wayne County

"Route 63143. Beginning at its intersection with Legislative Route 63066 at Hub; thence over Township Road 327 in a southeasterly direction, a distance of 1.0 miles, to an intersection with Township Road 315; thence over Township Road 315 in a southerly direction, a distance of approximately 1.8 miles, to an intersection with State Highway Route 90, a total distance of approximately 2.8 miles."

miles, in Salem and Sterling Townships, Wayne County.”
Amend Sec. 402, page 60, by inserting between lines 12 and 13:

“Wayne County

“Route 63144. Beginning at the intersection of Legislative Route 171; thence in a southeasterly direction over Township Road 349, a distance of 0.6 miles, to the intersection with Township Road 376; thence over Township Road 376 in a southerly direction, a distance of 0.6 miles, to the intersection with Legislative Route 63010, a total distance of 1.2 miles, in Lake Township, Wayne County.”

Amend Sec. 402, page 62 by inserting between lines 15 and 16:

“Route 66218. Beginning at the intersection of Legislative Route 66011 and 66071, thence in a northwesterly direction over Township Route 553 to its intersection with Legislative Route 66015, a distance of about 1.5 miles in Hopewell Township, York County.”

Amend Sec. 502, page 69, by inserting between lines 9 and 10:

“Patterson Heights Borough

“Route 04133. Beginning at the intersection of Darlington Road and Seventh Street on the Patterson Township and Borough of Patterson Heights line, thence easterly over Seventh Street and Hillside Avenue and northerly over Hillside Avenue to the Borough of Patterson Heights-City of Beaver Falls line, a distance of about .75 miles in the Borough of Patterson Heights, Beaver County.”

Amend Sec. 502, page 69 by inserting between lines 10 and 11:

“Route 09176. Beginning at the intersection of South Ninth Street and State Route 309; thence in a north-easterly direction along South Ninth Street to its intersection with West Broad Street (Legislative Route 656), a distance of about 0.925 miles, in the Borough of Quakertown, Bucks County.”

Amend Sec. 502, page 73, by inserting after line 18:

“Lawrence County

“Wampum Borough

“Route 37087. Beginning at a point on Legislative Route 482; thence in a northwesterly direction over Main Street, a distance of approximately .29 miles to an intersection with Clyde Street, in Wampum Borough, Lawrence County.”

Amend Sec. 502, page 76, by inserting between lines 6 and 7:

“Wayne County

“Honesdale Borough

“Route 63145. Beginning at the intersection of Weniger Hill Road with Legislative Route 173; thence along Weniger Hill Road in a northerly direction to the Dyberry Township line, a distance of approximately .15 miles in Honesdale Borough, Wayne County.”

Amend Sec. 502, page 76, by inserting between lines 6 and 7:

“Wayne County

“Honesdale Borough

“Route 63146. Beginning at the intersection of Route 6 and Legislative Route 173; thence down East Park Street to intersection with Riverside Drive; thence over Riverside Drive in a northerly direction to Watts Hill Road; thence along Watts Hill Road to Dyberry Township line, a distance of approximately .42 miles, in Honesdale Borough, Wayne County.”

Amend Sec. 502, page 76, by inserting between lines 6 and 7:

“Wayne County

“Honesdale Borough

“Route 63147. Beginning at an intersection with State Highway Route 63029 at a point 2538 feet south of the intersection of Routes 63029 and 63137 and known as Bates Street, running thence in an easterly direction a distance of 3010 feet to the Berlin Township line, a total distance of approximately 0.57 miles, in Honesdale Borough, Wayne County.”

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

“Mr. VARNER. Mr. Speaker, I have amendments to offer to this bill. I talked to the Chairman of the Committee this morning, about an hour ago and he said I missed the deadline. But, Mr. Speaker, I didn't have the amendments. They just came over from the Reference Bureau at 12:15. Now I would like to know if I can offer mine.

Mr. COMER. Mr. Speaker, last evening we had agreed on both sides of the House that I would accept amendments up to 7:00 o'clock last evening. The Reference Bureau worked all last night on these amendments. If the gentleman had gone over there last evening they would have been with this morning's amendments.

Mr. VARNER. I called them on the telephone over there and I was told they would have them for me, so that is all I know about it. Where they are, at 12:15, so I would like to offer them.

The SPEAKER pro tempore. The gentleman from Clarion, Mr. Varner, asks unanimous consent to offer amendments at this time.

The Chair recognizes the gentleman from Philadelphia, Mr. Comer.

Mr. COMER. I yield to the Majority Leader, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, will the gentleman from Clarion, Mr. Varner, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Clarion permit himself to be interrogated?

Mr. VARNER. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, did the gentleman meet with the Chairman of the Committee on Highways as was agreed to by the debate here on the floor?

Mr. VARNER. Mr. Speaker, I could never catch up with him.

Mr. McCANN. Mr. Varner, did you attempt to go to the Highway Committee room any time yesterday from the time of the debate until 8:00 o'clock last night?

Mr. VARNER. No, I did not, Mr. Speaker.

Mr. McCANN. Did you at any time telephone to that room between those hours?

Mr. VARNER. No, I did not, Mr. Speaker. I did not have the amendments, there was no use, but I thought we could turn them in this morning. I was really under that impression. I do not know whether anyone else got caught in the same situation or not, but that was the impression that I had. This is just one little piece of road, it is not hundreds of miles.

Mr. McCANN. Mr. Speaker, we had a pretty thorough understanding yesterday as to what the Members were to do. Many Members came there yesterday from both sides of the House and their amendments are in that large package delivered to the desk today. All amendments were prepared as the agreed items were discussed yesterday.

Mr. Comer informed me today that the amendments would all be here and when they arrived he told me all the amendments are here. If those are the facts, Mr. Speaker, the gentleman should have at least taken time to go to the Committee room or call, because to make

an exception for the gentleman we also would have a right to make an exception for Jim or John who did not know about the debate or were outside making a phone call. This was pretty clear yesterday. I have no objection and will abide by the situation here in the House this morning, but I will say this to the gentleman, including myself, there should have been no difference. This was an agreement that was worked out yesterday and a lot of people worked all night last night, throughout the night.

Mr. VARNER. What on?

Mr. McCANN. On the large package that was delivered there to the desk, to be checked, to be typewritten, to be proofread and to fit in the bill this morning.

Mr. VARNER. Mr. Speaker, may I say a word about the amendment?

This amendment concerns one little piece of road in Clarion County near the county seat, and it was offered to the Committee some time ago. For some reason it just did not make the team when the bill came out. So, I would like to have it included, and I would appreciate the Membership of the House going along. I am sure if there is anybody else in here that is in the same circumstances, I will not object.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Clarion on one point.

The SPEAKER pro tempore. Will the gentleman from Clarion permit himself to be interrogated?

Mr. VARNER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to ask the gentleman from Clarion, did I understand him correctly that he had filed this request with the Chairman prior to yesterday?

Mr. VARNER. Yes, Mr. Speaker, many months ago.

Mr. TOMPKINS. Did the gentleman go back yesterday to find out from him if he still had his request on file?

Mr. VARNER. No, I did this morning.

Mr. TOMPKINS. You did this morning, what time this morning?

Mr. VARNER. Well, I do not know exactly, some time this morning, sometime after breakfast.

Mr. TOMPKINS. Well, was the gentleman present in the Hall yesterday during the discussion on this matter?

Mr. VARNER. Yes, I was, Mr. Speaker.

Mr. TOMPKINS. That is all, Mr. Speaker.

Mr. VARNER. But this thing has been flicking around here for so many months, that a few more hours is not going to make that much difference. That is my opinion.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Comer.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Comer, consent to be interrogated?

Mr. COMER. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, does the gentleman from Philadelphia recall the filing with him of the request of Mr. Varner during the course of the session?

Mr. COMER. I do, Mr. Speaker.

Mr. TOMPKINS. You have handed me here a list of those who contacted you after our floor conversation yesterday, the Republican Members, you have not put the Democrat Members on it, but you have given me a list of the Republican Members who contacted you about the roads, and those whose amendments are incorporated in this package which you have given to the Chief Clerk. Is that right?

Mr. COMER. That is right, Mr. Speaker.

Mr. TOMPKINS. Now, you only have brought out as amendments those particular amendments which the members contacted you on yesterday or this morning, is that right?

Mr. COMER. That was additional to what I had prepared yesterday.

Mr. TOMPKINS. And when did Mr. Varner contact the gentleman in connection with this?

Mr. COMER. At 11:00 o'clock this morning.

Mr. TOMPKINS. Was not 11:00 'clock this morning the deadline?

Mr. COMER. Seven o'clock last evening.

Mr. TOMPKINS. I understood that we had postponed the session from ten to eleven o'clock this morning in order that this matter could be straightened out.

Mr. COMER. Mr. Speaker, may I say this in regard to these amendments. There was plenty of time last evening for Mr. Varner to file these amendments. The procedure with amendments, for the information of those who do not know, every amendment must have a legislative route number. It takes time to check these requests out for accuracy, for a description and for a number to be placed on it.

Mr. TOMPKINS. Mr. Speaker, is there any particular objection to this amendment of Mr. Varner's being offered at this time?

Mr. COMER. I have no objection to the amendment, but I am objecting to the time it is being offered. I informed the gentleman this morning that the bill was completed. He had plenty of time to do it, and I suggested that he take it to the Senate where amendments will probably be offered.

Mr. TOMPKINS. Well, if his road were incorporated in the amendments today would it seriously impair the bill?

Mr. Speaker, I would like to ask the gentleman from Clarion whether or not the amendment he is proposing to offer corresponds to the description of the request which he had previously filed with the Chairman of the Highway Committee.

The SPEAKER pro tempore. Will the gentleman from Clarion permit himself to be interrogated?

Mr. VARNER. I shall, Mr. Speaker. Well, yes, they do. It is the same description, the same piece of highway.

Mr. TOMPKINS. The gentleman's amendment is the same as the request which he had previously filed.

Mr. VARNER. That is right, and I might say that I did not have the amendments to offer until 12:15, just about 20 minutes ago.

If I did not have them now I would not be offering them, it is as simple as that. I have them and I would like to offer them. I hope that Mr. Comer has no objection, so let us get on with the business.

Mr. COMER. Mr. Speaker, I do object to amendments being offered at this time.

The SPEAKER pro tempore. The Chair hears objection and consent is not granted.

Mr. COMER. Mr. Speaker, I ask for a roll call.

The SPEAKER pro tempore. No roll call is necessary if unanimous consent is requested and not granted.

Mr. AUKER. I would like to get something clarified here, Mr. Speaker, if I may.

Do I understand now that since there is one objection to

Mr. Varner's amendments his amendments can not be offered?

The SPEAKER pro tempore. For the information of the gentleman, on third reading the Rules require before amendments can be offered unanimous consent be obtained. The gentleman has asked for unanimous consent and the Chair has heard objection.

Mr. AUKER. I think something ought to be really considered—

The SPEAKER pro tempore. The Chair will read the Rule, if the gentleman will yield.

Mr. AUKER. I agree with the Rule. I just wanted to have it clarified for the information of the House. We have all gone along here from time to time with amendments being offered on third reading, and nobody has raised any serious objection to it whatsoever. Now we have this thing cropping up and it could mean some pretty bad things in the future probably if the objection is allowed to stand.

Mr. TOMPKINS. Mr. Speaker, it is my understanding that the resolution this House adopted in connection with the last date for the introduction of bills also had incorporated in it that we could amend bills on third reading in this House without the necessity of unanimous consent. Now, has that resolution been set aside?

The SPEAKER pro tempore. To the knowledge of the Chair no such resolution was adopted. There has been an understanding between the majority and the minority that amendments would be offered on third reading. However there has been a bit of difference in this particular bill because of an agreement entered into yesterday between the minority and the majority as to deadlines.

If we abide by the rules, Rule 48 says, "Bills on third reading and final passage shall be considered in their calendar order. Amendments on third reading may not be considered except by a majority vote of the Members elect."

Mr. TOMPKINS. Mr. Speaker, I am sorry but I have understood ever since the resolution went in with reference to the last date for introduction of bills that where they are reported out on second reading those bills then could be amended on third reading without the necessity of unanimous consent.

The SPEAKER pro tempore. The Chair will read the special rule the gentleman referred to, offered by the Messrs. McCann and A. W. Johnson.

Bills read for the first time in the House of Representatives. Resolved that all bills reported from the Committees of the House as committed be read for the first time on the first day reported during the remainder of the Session.

It did not deal with amendments on third reading.

One other special rule adopted in the Session dealt with the introduction of bills. These are the only two that have been adopted during this Session.

Mr. TOMPKINS. It is the principle of the thing involved here.

Mr. A. W. JOHNSON. Mr. Speaker, it seems we are making a mountain out of a mole hill. Maybe Representative Varner is technically not in strict conformity with the understanding, but be that as it may, I understand it is only .95 miles, it is a very small strip of road, and we have until Monday to print the bill and assign a route number to it.

It seems it is only fair, reasonable and logical that the person objecting withdraws his objections and let him offer his amendments. We have dealt here with comradery and fairness all through the Session. I realize that maybe he is technically not actually correct, but it seems like it would be fair to let him offer his amendment and get it in the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Comer.

Mr. AUKER. Mr. Speaker, I have not yielded.

The SPEAKER pro tempore. Will the gentleman yield?

Mr. AUKER. No, I want to make a point of parliamentary inquiry at this point.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Mr. Speaker, have the other amendments been unanimously agreed to?

The SPEAKER pro tempore. They have been agreed to.

POINT OF ORDER

Mr. COMER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. COMER. Mr. Speaker, the amendments I offered this morning in regard to the bill, in order to take care of Mr. Varner's request, I would have to recall those amendments. Again I say to the Members of the House, it is not a question of offering amendments to a bill, it is a question of changing the legislative route numbers.

Mr. VARNER. Mr. Speaker, I am getting a lot of advice here, but to try to move this thing along I think I will give them to my Senator and ask him to get them in over in the Senate. I therefore withdraw them, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2461, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) authorizing the retention by the Department of Revenue of portions of funds obtained through proceedings relating to escheatable property and making an appropriation thereof for the payment of compensation fees and expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Agnew,
Anderson,
Arlene,

Foerster,
Fox,
Frank,

Lopresti,
Luigard,
Lutty,

Renwick,
Rigby,
Riley,

Ashton,
Auker,
Balthaser,
Barton,
Bell,
Blair,
Bonner,
Boris,
Bower,
Bowman,
Breth,
Buchanan,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Clarke,
Comer,
Curwood,
Davis,
Dennis,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Down,
Edwards,
Eilberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,

Frascella,
Fulmer,
Galley,
Gallagher,
Garlock,
Goldstein, M. H.,
Gramlich,
Guthrie,
Hamilton,
Haudenschild,
Heavey,
Helm,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irvia,
Isaacs,
Jenkins,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Jones, T. H. W.,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Korns,
Kovolenko,
Kubitsky,
Lee, K. B.,
Leonard,
Limper,
Lippincott,

McCandless,
McCann,
McDonald,
McKeever,
McLaughlin,
Machmer,
Magee,
Mahan,
Markley,
Maxwell,
Meholchick,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Muldowney,
Mullen,
Munley,
Murphy, P. J.,
Murray, H. P.,
Murray, J. J.,
Musto,
Needham,
Nelson,
O'Donnell, J. A.,
Odorisio,
Ogilvie,
O'Neil,
Parlante,
Paahley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,

Royer,
Rudisill,
Sakulsky,
Scarcelli,
Schaaf,
Seitzer,
Sherman,
Shupnik,
Snare,
Snider,
Stank,
Stevens,
Stewart,
Stimmel,
Stone,
Stoner,
Strausser,
Sullivan,
Taylor,
Thompson,
Tompkins,
Varallo,
Varner,
Verona,
Wall,
Wargo,
Weidner,
Welsh,
Wescott,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Wood,
Worley,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—43

Boles,
Branca,
Brenninger,
Brown,
Cooper,
Crossin,
Dengler,
Gelfand,
George,
Gibb,
Goldstein, J. H.,

Goodrich,
Heffner,
Jump,
Kornick,
Lamb,
Lee, A. M.,
Light,
McCormack,
McInroy,
Merry,
Monroe,

Moran,
Murphy, A. J., Jr.,
Murray, P. G.,
Naugle,
O'Dell,
O'Donnell, J. P.,
Roldenbach,
Rovanssek,
Schuster,
Schwartz,
Silverman,

Steckel,
Stroup,
Trusio,
Ujohal,
Walsh,
Wheeler,
Whittaker,
Willaredt,
Wilt,
Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 9, 1959.

Resolved (the Senate concurring), That House Bill No. 1897, Printer's No. 1657, entitled "An act amending the act of May 1, 1929 (P. L. 1216), entitled 'An act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business,' further regulating deposits and disbursements of funds by brokers," which was recalled from the Governor October 26, 1959, for the purpose of amendment, be returned to the Governor without amendment.

BILL TAKEN FROM TABLE

Mr. BOWMAN. Mr. Speaker, I move that House Bill

No. 1897, Printer's No. 1657, be taken from the table and returned to the Governor.

The motion was agreed to.

CAUCUSES

Mr. McCANN. Mr. Speaker, at this point I am going to request a caucus to finish third reading and concurrences in order.

I am going to request that all the Democratic Members of the House bring their calendars with them to the House Caucus Room. We are going to ask for only a 20-minute caucus; then come back here; no break for lunch. We will be through right away and go home.

I ask that when I make the request for a recess everyone please come immediately to the caucus room, and when the caucus is over, come right back on the floor and finish up.

Mr. A. W. JOHNSON. Mr. Speaker, we would like to call a similar Republican Caucus under the same conditions. We are going to caucus on concurrences in Senate amendments to House bills mainly. There are 15, I think, on the calendar, it should not take too long.

Mr. McCANN. And two Conference Committee Reports to adopt, and two bills.

Mr. A. W. JOHNSON. That is right.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess of twenty minutes.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. LOPRESTI IN THE CHAIR.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 993.

An Act amending the act of June 1, 1956 (P. L. 1987) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and construct a toll bridge over the Monongahela River connecting the State highway system in Washington County with the system of State highways in Fayette County and to provide the necessary approaches and connections with such State highways; . . ." naming the bridge the William J. Lane-Eustace H. Bane Bridge.

Referred to the Committee on Rules.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 725, Printer's No. 1625,

Senate Bill No. 773, Printer's No. 1647, and

Senate Bill No. 1081, Printer's No. 1361,

were passed over at the request of the SPEAKER pro tempore.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. RUDISILL asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 66.

An Act prohibiting discrimination in rate of pay because of sex, conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend bill, page 2, line 1, by striking out after the word "Section" the figure "1" and inserting in lieu thereof the figure "2"; line 10, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "3"; line 13, by striking out after the word "work" the word "of" and inserting in lieu thereof the word "under."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|-------------------|------------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty, | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Sakulsky, |
| Barton, | Gallagher, | McKeever, | Scarcelli, |
| Bell, | Garlock, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Magee, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenshield, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Milhm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cloff, | Horst, | Mullen, | Strausser, |
| Clarke, | Irviss, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varnier, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odoriso, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weldner, |
| Down, | Keiser, | O'Neil, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |

| | | | |
|------------|-------------|---------------|----------------------|
| Ellberg, | Kessler, | Pashley, | Williams, A.D., Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korna, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Polaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Fursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|--------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P. | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovasek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 900.

An Act amending the act of June 24, 1937 (P. L. 2027) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" including neglected children within the powers and duties of the local authorities.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 4, by inserting after the word "whether" the word "previously"; line 8, by inserting after the word "whether" the word "previously"; line 15, by inserting after the word "whether" the word "previously"; line 18, by striking out the following: "[No child under the age of sixteen years shall unless he is mentally or physically handicapped and no other care is available for him be] [admitted to or maintained in

an institution conducted by the local authorities other than a hospital or sanitarium].”

and inserting in lieu thereof the following:

“Proceedings to have such child adjudicated as neglected or dependent shall be commenced within sixty days after placement in any institution or home.”

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1195.

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits defining and taxing certain transfers made in contemplation of death or to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in certain property as to which such right exists defining and exempting from tax transfers to certain persons or for certain purposes or of certain property providing for the valuation of property and interests in property the transfer of which is subject to tax defining and allowing deductions from the value of property the transfer of which is subject to tax providing for the persons ultimately liable for taxes in the absence of a direction by the decedent to the contrary providing for the reporting of transfers and collection of taxes imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon persons who fail to file tax returns and documents providing for the compromise of taxes in the case of alleged nonresidents of the Commonwealth making it unlawful for any person to make a false return or report providing for liens upon real property the transfer of which is subject to tax and release thereof authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled providing for appeals and protests from the imposition of taxes regulating the entry into safe deposit boxes of a decedent by certain persons and providing penalties dealing with the jurisdiction powers and procedure of the orphans' court Secretary of Revenue Department of Revenue Attorney General and register of wills in matters relating to taxes and citing certain acts for repeal

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 3, line 5, by striking out after the word “taxes” the words “regulating the entry into safe deposit boxes of a decedent by certain persons and providing penalties”; Page 12, Article VII, line 7, by inserting the following: “Section 794 Transfer of Securities”; page 13, Article VIII, line 10, by inserting the following:

C. Transfers of Securities

Section 831. Transfers corporate stock and registered bonds
page 14, Article IX, line 2, by inserting the following: “Section 906. Finality of Board Action”; page 14, line 9, by striking out the following:

Article XI

Entry Into Safe Deposit Box

A. Entry Prohibited

Section 1101. Safe Deposit Box of a Decedent Definition.

Section 1102 Entry Into Safe Deposit Box

Section 1103. Interpretation

B. Entry Without Notice to Department of Revenue Permitted.

Section 1111. Entry Into Safe Deposit Box With Bank Employee

Section 1112. Entry Into Safe Deposit Box With Representative of Department of Revenue

Section 1113. Entry Into Safe Deposit Box Under Court Order

Section 1114. Entry Into Safe Deposit Box Used by Business Firm

Section 1115. Entry Into Safe Deposit Box to Remove Will and Cemetery Deed

C. Entry Upon Notice to Department of Revenue

Section 1121. Entry Into Safe Deposit Box After Notice to Department of Revenue

Section 1122. Notice to Department of Revenue

Section 1123. Exoneration of Financial Institution

D. Subsequent Entries

Section 1131. Subsequent Entries Into Safe Deposit Box

E. Confidential Nature of Contents of Safe Deposit Box

Section 1141. Confidential Information

F. Penalties

Section 1151. Penalties Others Than Bank Employees ..

Section 1152. Penalties Bank Employees

Section 1153. Disclosure of Confidential Information ..

Page 16, line 1, by striking out after the word “Article” the figures “XII” and inserting in lieu thereof the figures “XI”; line 3, by striking out after the word “Section” the figures “1201” and inserting in lieu thereof the figures “1101”; page 28, section 302, line 11, by striking out after the word “departments” the word “of” and inserting in lieu thereof the word “or”; line 17, by inserting after the word “in” the word “an”; page 33, section 404, line 16, by inserting the following: “Except that inheritance tax upon the transfer of property passing to or for the use of a brother or sister shall be ten (10) percent,” page 42, section 616, line 15, by striking out after the second word “or” the word “devices” and inserting in lieu thereof the word “devises”; page 46, section 651, line 4, by inserting the following: “And all death taxes paid out of property supporting such prior interests,” page 67, section 803, line 4, by striking out after the word “heir” the word “of”; page 71, section 823, line 18, by striking out after the word “Section” the figures “32” and inserting in lieu thereof the figures “732”; page 76, section 905, line 12, by striking out after the word “Revenue” the words “if the tax was paid to the Department of Revenue”; page 79, line 1, by striking out the following:

Article XI

Entry Into Safe Deposit Box

A. Entry Prohibited

Section 1101. Safe Deposit Box of a Decedent Definition For the purpose of this Article “safe deposit box of a decedent” shall mean a safe deposit box in a financial institution located in Pennsylvania in the name of the decedent alone or in the names of the decedent and another or others.

Section 1102. Entry Into Safe Deposit Box Except as hereinafter expressly provided no person having actual knowledge of the death of a decedent shall enter a safe deposit box of the decedent.

Section 1103. Interpretation. This Article shall not be

construed to confer upon any person any right of entry into a safe deposit box of a decedent which he does not otherwise have.

B Entry Without Notice to Department of Revenue Permitted

Section 1111. Entry Into Safe Deposit Box With Bank Employee. A safe deposit box of a decedent may be entered and any or all of the contents removed in the presence of an employee of the financial institution in which the box is located. Such employee shall make or cause to be made a record of the contents of the box which record he shall attest under penalty of perjury to be correct and complete. The financial institution may make a reasonable charge for the attendance of its employee at the entry of the box and the listing of the contents, which charge shall be deductible as an administration expense under Section 611 of this Act.

Section 1112. Entry Into Safe Deposit Box With Representative of Department of Revenue. A safe deposit box of a decedent may be entered and any or all of the contents removed in the presence of a representative of the Department of Revenue authorized by the Secretary of Revenue so to act. The Secretary of Revenue shall authorize at least one such representative in and for each county of the Commonwealth. The representative present at the time of entry into the box shall make or cause to be made a record of the contents of the box.

Section 1113. Entry Into Safe Deposit Box Under Court Order. The court for cause shown may order that a designated person or persons be permitted to enter a safe deposit box of a decedent and remove the contents thereof described in the order under such supervision as the court may direct. The order may also require that a record be made of the contents of the box.

Section 1114. Entry Into Safe Deposit Box Used by Business Firm. Notwithstanding any of the provisions of this Article the Secretary of Revenue at any time and without relation to the death of a specific decedent by a certificate issued to a firm whose business requires ready access to safe deposit boxes used in connection therewith may issue a general authorization for the entry into and removal of the contents of a safe deposit box of a decedent under such terms and conditions as he may prescribe. A financial institution may permit such entry and removal upon presentation to it of such certificate issued by the Secretary of Revenue.

Section 1115. Entry Into Safe Deposit Box to Remove Will and Cemetery Deed. Nothing in this Article shall prohibit a financial institution from permitting entry into a safe deposit box of a decedent for the sole purpose of removing the decedent's will and evidence of ownership of the burial lot in which the decedent is to be interred provided that an employee of the financial institution is present at the opening of the box and makes or causes to be made a record of the documents removed from the safe deposit box during the entry here permitted and attests such record to be correct and complete under penalty of perjury.

C Entry Upon Notice to Department of Revenue

Section 1121 Entry Into Safe Deposit Box After Notice to Department of Revenue. When entry into a safe deposit box of a decedent is not or cannot be made under the provisions of Section 1111, 1112, 1113 or 1114 a safe deposit box of a decedent may be entered at such time as shall be fixed in a notice mailed to the Department of Revenue Harrisburg Pennsylvania and to the financial institution in which the box is located in the manner hereinafter specified. The date fixed for entry and contained in the notice shall not be less than seven (7) days after the date the notice is mailed. A representative of the Department of Revenue may be present at the time fixed for entry and may make or cause to be made a record of the contents of the box.

Section 1122. Notice to Department of Revenue. The notice required under the provisions of Section 1121 shall be delivered to the Post Office Department for mailing in such manner as will provide for a record of the mailing being made by the Post Office Department and a receipt therefor being furnished to the sender. An exact copy of

the notice shall be transmitted to the financial institution in which the box is located.

Section 1123. Exoneration of Financial Institution. At the time fixed in the notice required by Section 1121 although no representative of the Department of Revenue is present it shall be lawful for a financial institution in which a safe deposit box of a decedent is located to permit and it shall permit entry into the box and removal of its contents by a person who furnishes a signed statement under penalty of perjury that he or someone in his behalf has given such notice.

D Subsequent Entries

Section 1131. Subsequent Entries Into Safe Deposit Box. Nothing in this Article shall be construed to impose any restriction upon reentry into a safe deposit box of a decedent at any time subsequent to an entry made in accordance with any of the provisions of this Article other than Section 1115.

E Confidential Nature of Contents of Safe Deposit Box

Section 1141. Confidential Information. Any information gained from the contents of a safe deposit box of a decedent by a person whose attendance at the entry into the box was required by this Article shall be confidential and shall not be disclosed for other than official purposes to collect the taxes imposed by this Act.

F Penalties

Section 1151. Penalties Others Than Bank Employees. Any person other than an employee of a financial institution in which the safe deposit box of a decedent is located who having actual knowledge of the death of a decedent enters a safe deposit box of the decedent in violation of this Article shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding ten thousand (\$10,000) dollars or undergo imprisonment not exceeding one year or both.

Section 1152. Penalties, Bank Employees. Any employee of a financial institution in which the safe deposit box of a decedent is located who having actual knowledge of the death of such decedent enters or permits the entry by any person into a safe deposit box of the decedent in violation of the provisions of this Article shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand (\$1000) dollars).

Section 1153. Disclosure of Confidential Information. Any person who violates the provisions of Section 1141 of this Act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding ten thousand (\$10,000) dollars or undergo imprisonment not exceeding one year or both, page 85, line 5, by striking out after the word "Article" the figures "XII" and inserting in lieu thereof the figures "XI"; line 7, by striking out after the word "Section" the figures "1201" and inserting in lieu thereof the figures "1101"; page 86, line 3, by inserting after the word "day" the words "of June"; line 4, by inserting after the word "day" the words "of June"; line 5, by inserting after the word "day" the words "of June"; line 6, by inserting after the word "day" the words "of June"; line 7, by inserting after the word "day" the words "of June."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1608.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions, defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare, abolishing certain existing boards, councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 13, line 6, by striking out after the word "than" the words and figures "twenty-one (21)" and inserting in lieu thereof the word and figure "nine (9)"; Section 7, page 16, line 14, by striking out after the word "and" the word "clause" and inserting in lieu thereof the following: "clauses (g) and (j)"; line 15, by striking out after the letters "(P. L.)" the numerals and word "1646 and" and line 16, by inserting after the numerals "1647)" the words and numerals "September 1, 1959 (Act No. 292)"; page 17, by inserting the following:

"(G) To encourage the cooperation of all agencies, public and private doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness and to consult and advise with authorized representatives of organizations of the blind to the fullest extent practicable in the formation, administration and execution of programs for the aid and rehabilitation of the blind no officer or employe of the [State Council for the Blind] Department of Public Welfare shall exert the influence of his office or position either directly or indirectly to prevent the free exercise of the right of the blind to join organizations of the blind nor shall any such officer or employe either directly or indirectly interfere with the exercise by the blind of their rights to freedom of assembly of speech and of petition: Section 8, page 21, line 5, by striking out after the word "rates" the following: "established by law or by administrative regulation" and inserting in lieu thereof the words "charged the general public or actual cost."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Sakulaky, |
| Barton, | Gallagher, | McKeever, | Scarcelli, |
| Bell, | Garlock, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Magee, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenshield, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cioffi, | Horst, | Mullen, | Strausser, |
| Clarke, | Irlis, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varner, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | O'Dorisio, | Wargo, |
| Dougherty, | Kee, | Oglvie, | Weidner, |
| Down, | Kelser, | O'Neil, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Ellberg, | Kessler, | Pashley, | Williams, A.D., Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Polaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|--------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A. J., Jr. | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P. | Wheeler, |
| Dengler, | Light, | Reldenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovansek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1613.

An Act amending the act of June 3, 1943 (P. L. 847) entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind to purchase, own, install, maintain and lease equipment and accessories for suitable business enterprises for the blind and for making advancements to blind persons for the purchase of merchandise, stock, equipment and accessories necessary to operate vending or refreshment stands or other suitable business enterprises in locations leased or arranged for by said council providing for the payment for the lease of such equipment and acces-

sories and for repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and accept Federal funds" transferring functions from the State Council for the Blind to the Department of Public Welfare.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 3, page 4, line 4, by striking out after the word "amended" the words and numebrs "January 14, 1952 (P. L. 2051)" and inserting in lieu thereof the words and numbers "September 1, 1959 (Act No. 291)"; page 4, line 7, by inserting after the word "maintain" the word "license"; page 4, line 8, by striking out after the word "equipment" the word "and" and inserting after the word "accessories" the words "and vending machines"; page 4, line 9, by inserting after the second word "for" the words "or on behalf of"; page 5, line 15, by inserting after the word "sales" the words "except in those locations in which the gross monthly sales do not exceed one thousand dollars (\$1,000) such rental in these locations shall not exceed one per centum of the gross monthly sales"; page 6, by inserting lines 1 and 2 as follows: "To such blind persons in accordance with the regulations to be adopted by it."

Page 6, line 2, by inserting after the word "manner" the following: "As to achieve approximate equality of opportunity to such blind persons and to assure that the fund shall at."

Page 6, line 5, by striking out after the word "exceed" the words and numbers "fifty thousand dollars (\$50,000)" and inserting in lieu thereof the words and numbers "seventy-five thousand dollars (\$75,000)"; page 6, line 10 by inserting the following:

"The [State Council for the Blind] Department of Public Welfare is authorized to receive and transmit to the state treasury for credit to the "employment fund for the blind" all moneys heretofore or hereafter received by the commonwealth on account of contracts between the commonwealth acting through the Department of Property and Supplies and vending machine owners whereby the Commonwealth is to receive a percentage of the profits from vending machines operated in State buildings."

On the question,

will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|----------------|------------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty, | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Sakulaky, |
| Barton, | Gallagher, | McKeever, | Scarcelli, |
| Bell, | Garlock, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Magee, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenshield, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cloff, | Horst, | Mullen, | Strausser, |
| Clarke, | Irviss, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |

| | | | |
|------------|------------------|-------------------|-----------------------|
| Curwood, | Jenkins, | Murray, H. P. | Thompson, |
| Devis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varner, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odoristo, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weidner, |
| Down, | Keiser, | O'Neill, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Ellberg, | Kessler, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Polaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|---------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobai, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovansek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1734.

An Act creating an Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity in the use of funds appropriated by the act of July 7, 1955 (P. L. 258) entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation."

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 5, by striking out at the beginning of the line the words "bargaining agent."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty, | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Sakulsky, |
| Barton, | Gallagher, | McKeever, | Scarcelli, |
| Bell, | Garlock, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Magee, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenschild, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cioffi, | Horst, | Mullen, | Strausser, |
| Clarke, | Irlis, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varnier, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odorisio, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weldner, |
| Down, | Kelser, | O'Neil, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Ellberg, | Kessler, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Polaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|---------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovasek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1830.

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 4, by striking out after the word "one" the following: "each of the following"; page 2, line 5, by striking out after the word "parsonage" the words "house of retreat convent orphanage house for aged or social center regularly maintained by and for the work of the church or place of actual religious worship."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Agnew, | Fox, | Luigard, | Rigby, |
| Anderson, | Frank, | Lutty, | Riley, |
| Arlene, | Frascella, | McCandless, | Royer, |
| Ashton, | Fulmer, | McCann, | Rudisill, |
| Auker, | Galley, | McDonald, | Sakulsky, |
| Balthaser, | Gallagher, | McKeever, | Scarcelli, |
| Barton, | Garlock, | McLaughlin, | Schaaf, |
| Bell, | Goldstein, M. H., | Machmer, | Seltzer, |
| Blair, | Gramlich, | Magee, | Sherman, |
| Bonner, | Guthrie, | Mahan, | Shupnik, |
| Boris, | Hamilton, | Markley, | Snare, |
| Bower, | Haudenschild, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cioffi, | Horst, | Mullen, | Strausser, |
| Clarke, | Irlis, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varnier, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odorisio, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weldner, |
| Down, | Kelser, | O'Neil, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Ellberg, | Kessler, | Pashley, | Williams, A. D., Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Polaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |
| Foerster, | Lopresti, | Renwick, | |

NAYS—1

Bowman,

NOT VOTING—43

| | | | |
|-------------------|-------------|---------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovasek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL PASSED OVER

There being no objection

House Bill No. 1977, Printer's No. 2000;
was passed over at the request of Mr. McCANN.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1980.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled 'An act concerning elections including general, municipal, special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county board of elections imposing duties upon the Secretary of the Commonwealth courts, county boards of elections, county commissioners imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' further regulating the marking and counting of ballots.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

Amend Section 1, page 12, by inserting after the word "shall" the words "remove the perforated corner containing the number"; page 12, line 16, by striking out the following: "exhibit the ballot to one of the election officers who shall ascertain by an inspection of the number appearing upon the right hand corner of the back of the ballot whether the ballot so exhibited to him is the same ballot which the elector before entering the voting compartment if it is the same the election officer shall direct the elector without unfolding the ballot to remove the perforated corner containing the number and the elector shall."

Page 15, by striking out after the word "Section" on line 15, the figure "4" and inserting in lieu thereof the figure "5."

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|----------------|-----------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty, | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Sakulsky, |
| Barton, | Gallagher, | McKeever, | Scarcell, |
| Bell, | Garlock, | McLaughlin, | SchAAF, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Magee, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenshield, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Heim, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |

| | | | |
|------------|------------------|-------------------|---------------------|
| Cloff, | Horst, | Mullen, | Strausser, |
| Clarke, | Irvia, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P. | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Varner, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odorisio, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weldner, |
| Down, | Kelser, | O'Neill, | Weish, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Ellberg, | Kessler, | Pashley, | Williams, A.D. Jr., |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Worley, |
| Farabaugh, | Kovolenko, | Polaski, | Wood, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|-------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A.J. Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovasek, | Willardt, |
| Geege, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2423.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council Inc. Boy Scouts of America.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 3, by striking out after the figures "50" the letter "E"; line 7, by striking out after the letter "S" the following: "12 degrees 25'" and inserting in lieu thereof the following: "21 degrees 52'"; page 4, line 9, by striking out after the word "America" the word "to".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Foerster, | Lopresti, | Renwick, |
| Anderson, | Fox, | Luigard, | Rigby, |
| Arlene, | Frank, | Lutty, | Riley, |
| Ashton, | Frascella, | McCandless, | Royer, |
| Auker, | Fulmer, | McCann, | Rudisill, |
| Balthaser, | Galley, | McDonald, | Scarulsky, |
| Barton, | Gallagher, | McKeever, | Scarcelli, |
| Bell, | Garlock, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, M. H., | Machmer, | Seltzer, |
| Bonner, | Gramlich, | Magee, | Sherman, |
| Boris, | Guthrie, | Mahan, | Shupnik, |
| Bower, | Hamilton, | Markley, | Snare, |
| Bowman, | Haudenschild, | Maxwell, | Snider, |
| Breth, | Heavey, | Meholchick, | Stank, |
| Buchanan, | Helm, | Mihm, | Stevens, |
| Burns, | Henzel, | Miller, B. Z., | Stewart, |
| Capano, | Hocker, | Miller, H. G., | Stimmel, |
| Capitolo, | Holliday, | Mills, | Stone, |
| Cianfrani, | Holt, | Muldowney, | Stoner, |
| Cioffi, | Horst, | Mullen, | Strausser, |
| Clarke, | Irvis, | Munley, | Sullivan, |
| Comer, | Isaacs, | Murphy, P. J., | Taylor, |
| Curwood, | Jenkins, | Murray, H. P., | Thompson, |
| Davis, | Jim, | Murray, J. J., | Tompkins, |
| Dennis, | Johnson, A. W., | Musto, | Varallo, |
| Dennison, | Johnson, R., | Needham, | Vamer, |
| Devlin, | Jones, F. R., | Nelson, | Verona, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Wall, |
| Donaldson, | Kamyk, | Odorisio, | Wargo, |
| Dougherty, | Kee, | Ogilvie, | Weldner, |
| Down, | Kelser, | O'Neill, | Welsh, |
| Edwards, | Kernaghan, | Parlante, | Wescott, |
| Eilberg, | Kessler, | Pashley, | Williams, A. D., Jr. |
| Eshback, | Knecht, | Perry, H. H., | Williams, E. S., |
| Eshleman, | Kooker, | Perry, P. E., | Willard, |
| Ewing, | Korns, | Petrosky, | Wood, |
| Farabaugh, | Kovolenko, | Poiaski, | Worley, |
| Fetterolf, | Kubitsky, | Polen, | Yatron, |
| Filo, | Lee, K. B., | Prendergast, | Yetter, |
| Fineman, | Leonard, | Price, | Zimmerman, |
| Floyd, | Limper, | Pursley, | Andrews, |
| Flynn, | Lippincott, | Reibman, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------------|-------------|---------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A. J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujobal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reidenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovanske, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2431.

An Act amending the act of June 1, 1959 (Act No. 78) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" further providing for credit for time spent by an employe of the Commonwealth as an employe of the United States Government.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 6, by inserting after the word "employe" the following: "or public school employe who was a state employe and" Section 2, page 3, line 19, by inserting after the word "employe" the words "or public school employe."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1207.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1207, entitled: "An act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' providing for payments on account of pupil transportation to certain additional school districts."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
THOMAS A. EHRGOOD,
JOSEPH D. RIPP,
(Committee on the part of the Senate.)

LEE A. DONALDSON, JR.,
JOHN R. GAILEY, JR.,
JOHN J. MURRAY

(Committee on the part of the House of Representatives.)

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for payments on account of pupil transportation to certain additional school districts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Section 2541 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" amended February 17, 1956 (P. L. 1066) June 21, 1957 (P. L. 385) and July 13, 1957 (P. L. 864) is amended to read:

Section 2541. Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the [district] district's subsidiary account reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be cal-

culated on the basis of the approved cost at which the district acquired the vehicle for which depreciation is claimed. With respect to vehicles purchased prior to January 1, 1956 the number of depreciation payments shall be limited to ten such payments. With respect to vehicles purchased on or after January 1, 1956 the annual depreciation charge shall not exceed seven hundred dollars (\$700) for such vehicles. The number of annual depreciation charges shall be limited so that the total amount of such payments shall not exceed the cost of the vehicle as approved by the Department of Public Instruction at the time of the purchase. In no case shall the Commonwealth pay in depreciation charges more than ten thousand five hundred dollars (\$10,500) for any one vehicle.

Such payments for pupil transportation shall be made in the following cases.

(1) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation [and] to merged or union school districts in which one or more [such] of the component districts [are a component] were heretofore eligible for reimbursement on account of transportation and to school districts which were eligible heretofore for reimbursement on account of transportation for the transportation of elementary school pupils residing within any part of the district last served by any elementary school closed since the first Monday of July one thousand nine hundred seven or within a district all of whose schools have been closed or who are assigned to a training school of a State teachers' college and in each case who reside one and one-half (1½) miles or more from the school to which they are assigned.

(2) To school districts of the fourth class and districts of the third class which are located wholly within the boundary lines of a township or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile [and] to merged or union school districts in which one or more [such] of the component districts [are a component] were heretofore eligible for reimbursement on account of transportation and to school districts which were eligible heretofore for reimbursement on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest school in session and to districts of the third class operating schools jointly with districts of the fourth class or with other districts of the third class entitled to payment on account of transportation for the transportation of any child living more than two (2) miles by the nearest public highway from the nearest jointly operated school in session offering the proper grades including pupils who are attending area technical schools.

(3) To all school districts for the transportation of physically or mentally handicapped children regularly enrolled in special classes approved by the Department of Public Instruction or enrolled in a regular class in which approved educational provisions are made for them.

(4) To all third and fourth class school districts for pupils transported to and from approved consolidated schools or approved joint consolidated schools or approved vocational district schools living one and one-half miles or more from the school of attendance.

Consolidated schools or joint consolidated schools of vocational district schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing therefor constitute approved consolidated schools or approved joint consolidated schools or approved vocational district schools.

(5) To all school districts for pupils transported to and from schools used for the purpose of better gradation and approved by the county superintendent of schools.

(6) To all school districts for pupils transported to and from area technical schools.

(7) To all school districts for the transportation of non-resident children who are placed in the home of a resident or who are inmates of an orphan asylum or home or a children's home or other institution for the care and training of orphans or other children and who attend the public schools and who live two miles or more from the nearest school with the proper grades.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|-------------------|----------------------|
| Agnew, | Frank, | Lutty, | Rigby, |
| Anderson, | Frascella, | McCandless, | Riley, |
| Arlene, | Fulmer, | McCann, | Royer, |
| Balthaser, | Galley, | McDonald, | Rudisill, |
| Barton, | Gallagher, | McKeever, | Sakulsky, |
| Bell, | Garlock, | McLaughlin, | Scarcelli, |
| Blair, | Goldstein, M. H., | Macmer, | Schaaf, |
| Bonner, | Gramlich, | Magee, | Seltzer, |
| Boris, | Guthrie, | Mahan, | Sherman, |
| Bower, | Hamilton, | Markley, | Shupnik, |
| Bowman, | Haudenshield, | Maxwell, | Snare, |
| Breth, | Heavey, | Meholchick, | Snider, |
| Buchanan, | Helm, | Mihm, | Stank, |
| Burns, | Henzel, | Miller, B. Z., | Stevens, |
| Capano, | Hocker, | Miller, H. G., | Stewart, |
| Capitolo, | Holliday, | Mills, | Stimmel, |
| Cianfrani, | Holt, | Muldowney, | Stone, |
| Cioffi, | Horst, | Mullen, | Stoner, |
| Clarke, | Irvia, | Munley, | Strausser, |
| Comer, | Isaacs, | Murphy, P. J., | Sullivan, |
| Curwood, | Jenkins, | Murray, H. P., | Taylor, |
| Davis, | Jim, | Murray, J. J., | Thompson, |
| Dennis, | Johnson, A. W., | Musto, | Tompkins, |
| Dennison, | Johnson, R., | Needham, | Tompkins, |
| Devlin, | Jones, F. R., | Nelson, | Varner, |
| Donahue, | Jones, T. H. W., | O'Donnell, J. A., | Verona, |
| Donaldson, | Kamyk, | Odorisio, | Wall, |
| Dougherty, | Kee, | Ogilvie, | Wargo, |
| Down, | Kelser, | O'Neil, | Weidner, |
| Edwards, | Kernaghan, | Parlante, | Welsh, |
| Ellberg, | Kessler, | Pashley, | Wescott, |
| Eshback, | Knecht, | Perry, H. H., | Williams, A.D., Jr., |
| Eshleman, | Kooker, | Perry, P. E., | Williams, E. S., |
| Ewing, | Korns, | Petrosky, | Willard, |
| Farabaugh, | Kovolenko, | Polaski, | Wood, |
| Fetterolf, | Kubitsky, | Folen, | Worley, |
| Filo, | Lee, K. B., | Prendergast, | Yatron, |
| Fineman, | Leonard, | Price, | Yetter, |
| Floyd, | Limper, | Pursley, | Zimmerman, |
| Flynn, | Lippincott, | Reibman, | Andrews, |
| Foerster, | Lopresti, | Renwick, | Speaker |
| Fox, | Luigard, | | |

NAYS—2

Ashton, Auker,

NOT VOTING—43

| | | | |
|-------------------|-------------|--------------------|------------|
| Boles, | Goodrich, | Moran, | Steckel, |
| Branca, | Heffner, | Murphy, A.J., Jr., | Stroup, |
| Brenninger, | Jump, | Murray, P. G., | Trusio, |
| Brown, | Kornick, | Naugle, | Ujosal, |
| Cooper, | Lamb, | O'Dell, | Walsh, |
| Crossin, | Lee, A. M., | O'Donnell, J. P., | Wheeler, |
| Dengler, | Light, | Reldenbach, | Whittaker, |
| Gelfand, | McCormack, | Rovansek, | Willaredt, |
| George, | McInroy, | Schuster, | Wilt, |
| Gibb, | Merry, | Schwartz, | Wynd, |
| Goldstein, J. H., | Monroe, | Silverman, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat and providing a penalty for the violation thereof.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1675.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. STONE, McLAUGHLIN and ISAACS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the building or rebuilding of schools and the preparation of drawings for such schools repealing certain provisions concerning heating and ventilating standards and changing provisions relating to the determination of certain reimbursement amounts.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 2173.

The SPEAKER pro tempore. The Speaker has appointed as a committee of Conference on the part of the House, Mrs. REIBMAN, Messrs. GAILEY and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employees' Retirement Code of

1959" further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 2361.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. MIHM, POLEN and BOWER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2422.

An Act amending the "Uniform Commercial Code" approved April 6, 1953 (P. L. 3) correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEE

Mr. DEVLIN from the Committee on Judiciary, reported as amended, Senate Bill 727, entitled:

An Act to provide for additional law judges of the courts of common pleas in the seventh and the thirty-first judicial districts.

Mr. ISAACS from the Committee on Judiciary, reported as amended, Senate Bill No. 794, entitled:

An Act to provide for additional law judges of the court of common pleas in the fifteenth judicial district and making an appropriation.

Mr. SHERMAN from the Committee on Judiciary, reported as committed, House Bill No. 742, entitled:

An Act amending the "Legal Holiday Law" approved May 31, 1893 (P. L. 188) providing that when holidays occur on a Saturday, Friday shall be deemed and declared a public holiday.

Mr. SHERMAN from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing devise.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 742, entitled:

An Act amending the "Legal Holiday Law" approved May 31, 1893 (P. L. 188) providing that when holidays occur on a Saturday, Friday shall be deemed and declared a public holiday.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing devise.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 446.

An Act relating to the legitimacy of children born of void or voidable marriages.

HOUSE BILL No. 1322.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township Northampton County providing for its restoration improvement future care and maintenance as an historical site and making an appropriation.

HOUSE BILL No. 1473.

An Act amending the act of June 28, 1947 (P. L. 1110) entitled "Motor Vehicle Sales Finance Act" permitting payment of time balances in amounts varying with the expected income of the buyer.

HOUSE BILL No. 1881.

An Act amending the "Consumer Discount Company Act" approved April 8, 1937 (P. L. 262) further regulating the granting of licenses and providing for appeals.

HOUSE BILL No. 1981.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" providing for the deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor.

HOUSE BILL No. 2018.

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania * * *" further regulating the salary of the first aid and mine rescue instructors.

HOUSE BILL No. 2019.

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania * * *" regulating the salary of electrical inspectors.

HOUSE BILL No. 2273.

An Act amending the "Pennsylvania Cigarette Tax Act

of 1957" approved July 8, 1957 (P. L. 594) by redefining certain terms including retail dealer and wholesale dealer * * *, and making other technical changes therein.

HOUSE BILL No. 2277.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An act consolidating and revising the Vehicle Code" repealing provisions for annual registration fees based on chassis weights adding a schedule of fees for certain vehicles repealing provisions for maximum gross weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections.

HOUSE BILL No. 2338.

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" to define certain terms to modify eligibility and disqualification provisions payments and rates of compensation to revise and increase rates of contribution to limit scope of contribution appeals and to repeal certain provisions concerning employees under Shipping Articles.

HOUSE BILL No. 2380.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown.

HOUSE BILL No. 2394.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949 changing the provisions relating to the reading of the Bible in public schools.

HOUSE BILL No. 2409.

An Act authorizing the conveyance of Fort Necessity Park in Wharton Township Fayette County to the government of the United States for use as a National Park and with certain reservations ceding jurisdiction over such lands.

HOUSE BILL No. 2455.

An Act amending the Act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class * * *" further regulating payments to the widow and children of members who are killed while on duty.

HOUSE BILL No. 2456.

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) further regulating payments to the widow and children of members who are killed while on duty.

SENATE BILL No. 1250.

An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf.

SENATE BILL No. 1251.

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law," providing that a bond shall be submitted with a bid proposal.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows: APPROVAL

OF HOUSE BILLS Nos. 253, 623, 672, 991, 1162, 1316, 1443, 2037, 2175, 2292, 2314, 2412, 2414.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 253, Printer's No. 911, entitled "An Act providing for the payment of the salary medical and hospital expenses of employees of State penal and correctional institutions who are injured in the performance of their duties and providing benefit to their widows and dependents in certain cases."

DAVID L. LAWRENCE.

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 623, Printer's No. 1870, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' prescribing penalties for using obscence or offensive language over telephones or repeatedly by telephone annoying molesting or harassing another."

DAVID L. LAWRENCE.

December 8, 1959.

To The Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 672, Printer's No. 859, entitled "An Act amending the act of May 2, 1925 (P. L. 448), entitled 'The Fish Law of 1925,' authorizing the use of money in the 'fish fund' for an engineering survey of the Susquehanna River."

DAVID L. LAWRENCE.

December 8, 1959.

To The Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 991, Printer's No. 1816, entitled "An Act amending the act of June 8, 1907 (P. L. 496), entitled 'An act to establish a Board of Commissioners of Navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor' authorizing cities of the first class to remove wharves piers bulkheads pilings or other harbor structures which have not been used for three years and which are not longer capable of being used for the purpose for which they are constructed under certain terms and conditions."

DAVID L. LAWRENCE.

December 8, 1959.

To The Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1162, Printer's No. 1892, entitled "An Act amending the act of June 25, 1895 (P. L. 275), entitled 'An act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith' changing the mode for the advance in classification of cities upon their increase in population."

DAVID L. LAWRENCE.

December 8, 1959.

To The Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 1316, Printer's No. 1811, entitled "An Act amending the act of June 2, 1937 (P. L. 1183), entitled 'An act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds' permitting mutual life and mutual fire insurance companies to invest in shares of certain Federal Savings and Loan Associations outside the Commonwealth."

DAVID L. LAWRENCE.

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1443, Printer's No. 1877, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' eliminating requirement for the submission of revised plans when mergers are not assented to by electors."

DAVID L. LAWRENCE

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2037, Printer's No. 1885, entitled "An Act to ascertain and appoint the fees to be received by the prothonotary of the court of common pleas of the Commonwealth in counties of the third class to provide the time of paying the same and to repeal certain acts."

DAVID L. LAWRENCE

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2175, Printer's No. 1557, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' validating certain unions of school districts."

DAVID L. LAWRENCE

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2292, Printer's No. 1972, entitled "An Act authorizing the marking of highways and intersections in the State highway system and conferring powers on the Department of Highways."

DAVID L. LAWRENCE

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2314, Printer's No. 1566, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' changing and clarifying the powers and duties of the Pennsylvania Historical and Museum Commission removing certain limitation with respect to moneys in the Historical Preservation Fund and crediting certain moneys collected by the commission to such fund."

DAVID L. LAWRENCE

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2412, Printer's No. 1803, entitled "An Act amending the act of September 8, 1959 (Act No. 330) entitled 'An act amending the act of June 25, 1947 (P. L. 971) entitled 'An act relating to the

annual salaries and compensation of certain county officers of counties of the eighth class" increasing the annual salaries of certain county officers in counties of the eighth class' clarifying the effective date."

DAVID L. LAWRENCE

December 8, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2414, Printer's No. 1805, entitled "An Act amending the act of June 23, 1931 (P. L. 932) entitled 'The Third Class City Code' providing for payment to posts of the Italian American World War Veterans of the United States Incorporated."

DAVID L. LAWRENCE

The SPEAKER pro tempore. For the information of the Members of the House and the Majority and Minority Leaders, we have on the Speaker's table House Bill No. 506, House Bill No. 1977 and House Bill 2368; also Senate Bill 1106. There are also House Bill 652 and House Bill 1927.

Mr. McCANN. Mr. Speaker, are we not finished except for the communications from the Senate? The reason I ask is that if we are, I would like to say to all the Mem-

bers here now, we are at the point where you may go home.

ANNOUNCEMENTS

The SPEAKER pro tempore. For the information of the Members there will be a Democratic caucus on Monday at 2:30. The Session will begin at 3:00 o'clock. It is likely we will be in session three day at least, and probably four, next week.

Mr. A. W. JOHNSON. Mr. Speaker, we will caucus at 2:00 o'clock on Monday. We expect to send out a caucus letter advising them of the 3:00 o'clock session and the 2:00 o'clock caucus. We will not say anything about the number of days. We are at the mercy of the Senate, you might say, in that regard, so I do not know how many days we will be here; it is quite likely, as you said, three, or possibly four.

ADJOURNMENT

Mr. GALLAGHER. Mr. Speaker, I move that this House do now adjourn until Monday, December 14, 1959 at 3:00 p. m. EST.

The motion was agreed to, and (at 2:10 p. m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, DECEMBER 14, 1959.

No. 122.

SENATE

MONDAY, December 14, 1959.

The Senate met at 3:00 o'clock p.m.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

Rev. NORMAN E. DETTRA, Evangelical United Brethren Church Clergyman, Annville, offered the following prayer:

Let us pray.

O God, deliver us from a low appraisal of ourselves. Grant that we may think of ourselves as sons of Thine and thus learn to live in brotherhood. Forgive us for our narrowness of vision and contentment with low desires and low aims.

Grant to these Legislators a clear understanding of their divine possibilities for growth and development. Help us, in this Session, "to show ourselves approved unto God, workmen that needeth not be ashamed." Make clear Thy plan and purpose for us and strengthen us as we, in this moment, dedicate the powers of mind, heart and hand to Thee.

In the Name of the Master of us all, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE CONCURRENT RESOLUTION

The Secretary to the Governor being introduced, presented communication in writing from his Excellency, the Governor, advising that Senate Concurrent Resolution, recalling from the Governor **SB 1043**, had been approved and signed by the Governor, which communication and bill were laid on the table.

APPROVAL OF SENATE BILLS

He also presented communications in writing from His

Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 107** and **1187**.

SENATE BILLS RETURNED WITHOUT APPROVAL

He also presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been returned without approval: **SB 118**, **453**, **990**, **1175** and **1238**.

The PRESIDENT. The communications and bills will be laid on the table.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert L. Buchanan, 1333 Otter Street, Franklin, Venango County, for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1961, and until their successors shall have been appointed and qualified:

Gorden A. Hardwick, Gwynedd Valley, Montgomery County, from May 15, 1958.

Millard E. Gladfelter, President, Temple University, 342 Fisher Road, Jenkintown, Montgomery County, vice Dr. Robert L. Johnson, Philadelphia, resigned.

William W. Bodine, Jr., County Line Road, Villanova, Montgomery County, vice Vice Adm. J. L. Kauffman, Ret'd., Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE TIOGA COUNTY BOARD OF ASSISTANCE

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Madelyn Weidman (Democrat), Westfield, Tioga County, for reappointment as a member of the Tioga County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, to compute from January 1, 1960.

DAVID L. LAWRENCE.

RECESS

Mr. FLEMING. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Executive Nominations, to be held in the office of the President pro tempore.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nomination, reported the following nominations, made by His Excellency, the Governor:

MEMBER OF THE STATE TAX EQUALIZATION BOARD

December 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert J. McGlinchey, 596 East Geneva Avenue, Philadelphia 20, Philadelphia County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond E. Gardlock, 116 Marlboro Drive, New Kensington, Westmoreland County, for appointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified vice Frank K. Cochran, Greensburg, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Bevec, 173 Alexander Avenue, Strabane, Washington Coun-

ty, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations read by the Clerk.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WADE, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

NOMINATION OF HERBERT J. McGLINCHEY TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I call from the table the nomination of Herbert J. McGlinchey for reappointment as a member of the State Tax Equalization Board.

The nomination was read by the Clerk as follows:

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert J. McGlinchey, 596 East Geneva Avenue, Philadelphia 20, Philadelphia County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

Mr. FLEMING. Mr. President, I now yield the floor to Senator Ehrgood.

Mr. EHRGOOD. Mr. President, the remarks I am about to make at this time regarding this nomination will be equally apropos, I believe, to the other two nominations which will follow.

I am going to ask my colleagues to vote against the confirmation of Mr. Herbert J. McGlinchey, as a member of the State Tax Equalization Board, and also the other two members who have been nominated by the Governor.

First of all, Mr. President, let me say that the State Tax Equalization Board is the vehicle by which the State subsidies are distributed to the local school districts throughout the Commonwealth. It seems to me there has been a deliberate attempt by the present membership of the State Tax Equalization Board to go ahead and distribute these subsidies to the large metropolitan areas. I believe I can say, very fairly, that throughout Pennsylvania there has been suspicion if political interference with the market values as determined by the State Tax Equalization Board. I know, in my own district, that the findings must have been determined by inspired guesswork, if by no other method. I think that in the school system throughout this Commonwealth, there is no place for political suspicion, there is no place for guesswork and there has not been in the State Tax Equalization Board as heretofore constituted.

Mr. President, I believe this is very serious to this Commonwealth. If there is no faith on the part of the school districts and on the part of educators throughout this Com-

monwealth in these findings, and if we are going to have any suspicion of politics entering into the school districts, then I say, and I think we all should agree, that these nominations should be turned down.

There is no doubt, Mr. President, that the nominee before us right now is the secretary of one of the big Democratic bosses in Philadelphia. I think this is no place for politics. I hope that all Members of the Senate will vote against these nominations and turn them down.

MOTION THAT NOMINATIONS BE LAID ON THE TABLE

Mr. WEINER. Mr. President, I move that these nominations, reported from the Executive Nominations Committee, be laid on the table at this time. My reason for asking for this to be done is because I think that these gentlemen should at least have an opportunity to be here in order to hear some of these accusations which are being made against them.

I think this is a rather serious matter. These people have been appointed by the Governor. They are citizens of this Commonwealth. If Senator Ehrgood or any other Member over there has some accusations to make against these people, I think they should be present in this room to hear them. I think they should have the opportunity which everybody in this Country has; namely, to face their accusers or at least find out who they are. I do not think we should have a situation where the words are Esau's and the voice is Jacob's. I think that these people should be here and have the opportunity to be heard.

Therefore, Mr. President, I ask that the nominations be laid on the table until we are under the order of business of Executive Nominations tomorrow. I do not think there is any pressing need for this to be done immediately. We have had many weeks here when we have had no Executive Nominations. There are some Executive Nominations which have been lying over there ever since the beginning of the Session. Therefore, I do not think there is any reason to protest the fact that these nominations be laid on the table for another ten or twelve hours.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, these nominations made by His Excellency, the Governor, were reported from the Committee on Executive Nominations. I can see no reason for the three men to be here. Whether they were here or whether they were not here, they would not be permitted to speak on the floor of this Senate while we are in Executive Session. The Constitution provides that the Senate of Pennsylvania, on any nomination made by His Excellency, the Governor, shall vote thereon. If two-thirds of the elected Members feel that that person or those persons should be confirmed, they are confirmed and the Governor is so advised.

If, on the other hand, two-thirds do not vote for that confirmation, the Governor would likewise be advised that his nominees had failed to receive the required two-thirds vote of the entire Membership of the Senate. I see nothing wrong in the procedure of having their names reported from committee. Senator Ehrgood or any other Senator would have the right to express his opinion on

whether or not the confirmations should be made. Certainly, any Senator, on either side of the aisle, who would feel that he should speak on behalf of the nominee or nominees, has every right at this time to make that speech. However, I certainly would be opposed to the motion at this time to lay the nominations on the table.

Mr. WEINER. Mr. President, I desire to interrogate the Chairman of the Committee on Executive Nominations, the gentleman from Allegheny, Senator Fleming.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise us as to whether there is any compelling haste why he cannot wait until tomorrow to take up this matter?

Mr. FLEMING. Mr. President, there is no compelling haste, except that I think the business at hand is being conducted in an orderly manner. The names have been reported from committee and we are now in Executive Session. I feel that the nominees should either be confirmed at this time or not be confirmed. This certainly cannot be determined until the Clerk calls the roll and we find out whether or not they have been confirmed.

Mr. WEINER. Mr. President, will the gentleman please advise us whether this matter has been taken up in his Caucus?

Mr. FLEMING. I would say that we touched on it lightly, Mr. President.

Mr. WEINER. Mr. President, will the gentleman further advise us, on touching on this matter lightly, how many votes were against these people?

Mr. FLEMING. If the gentleman would consider that question, Mr. President, I think he would know that it is improper to ask about a vote in a Caucus. I would not ask him about his vote in his Caucus.

Mr. WEINER. Mr. President, I ask the gentleman to forgive me. Perhaps the question was ill-put.

Mr. President, will the gentleman tell us whether there was any sentiment for approving these gentlemen in his Caucus, without telling us what the votes are?

Mr. President, I will allow the gentleman to confer with counsel if he would like to do so.

Mr. FLEMING. We did not have any Caucus action on it, if that is what the gentleman means. I think there is considerable sentiment against the confirmations among the Members on this side of the aisle. I could not say whether that would be unanimous. I could not even say whether it would be enough to fail of receiving the two-thirds majority. I am most confident, unless some of the gentlemen have changed their minds, that there will be some "no" votes.

Mr. WEINER. Mr. President, would the gentleman, as the Chairman of the Committee on Executive Nominations, tell us whether he would be averse to holding a public hearing on these people, thus enabling us to hear about their qualifications?

Mr. FLEMING. Mr. President, I would see no reason for holding a public hearing on them. No one requested a public hearing on them at any time during the period when their names were in the Committee on Executive Nominations. I believe they were submitted on November 16 and this is now December 14. As of now and including the meeting which was just held by the Com-

mittee on Executive Nominations, no one requested a public hearing for these men to appear before the committee.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of this Senate, if he has some information which is not readily available to all of us, why we should not confirm these people or why the sentiment in his Caucus was against these gentlemen? If a request for a public hearing is necessary, I will now make that request, on behalf of the gentlemen sitting on this side of the aisle.

Mr. FLEMING. On the first question, Mr. President, I would yield the floor to Senator Ehrgood, who has seen fit to speak against the nomination of one of the gentlemen. To the second part of the gentleman's question, I would certainly defer to my Floor Leader, Senator Berger.

Mr. BERGER. Mr. President, is the interrogation addressed to me? If so, will the gentleman repeat it?

Mr. WEINER. Senator Berger, I believe the gentleman who last spoke on your side, Senator Fleming, said that you were in a better position to answer the question; the question being whether or not we could hold a public hearing on these gentlemen. The reason for my asking for a public hearing was that there may be some information against these gentlemen which I do not have available to me and to the Members on this side. I would not like to vote for anyone if there is some information against them. Since I do not have that information available, I think it should be made available to us, if it so exists.

Mr. BERGER. Mr. President, I am sure that the gentleman is well acquainted with at least one of the nominees, much more so than I am. However, in answer to the interrogation as to whether a public hearing at this time or a deferment of the consideration would be feasible, I would say that we have now arrived at the point of business where we are in Executive Session and for the purpose—and for the purpose only—of considering the nominations which have been reported from committee at today's Session.

The gentleman's request for a public hearing, Mr. President, in my opinion, is tardy and, at this time, could not feasibly be considered.

Mr. WEINER. Mr. President, would the gentleman please advise the Members of this Senate, if we were to wait for a twenty-four hour period and have these gentlemen brought here, whether that would impede the orderly conduct of business in this Senate or in this Commonwealth?

Mr. BERGER. Mr. President, I am sure that the gentleman's skill in cross-examination has already convinced him that it is not advisable to ask a useless thing. I am sure he is convinced by this time that a public hearing, in our opinion, would serve no useful purpose.

Mr. WEINER. Mr. President, would the gentleman please advise the Members of this Senate why he feels that he would like to vote against these gentlemen whose names are now before this Senate? Perhaps some of the Members on his side may have convinced him.

Mr. BERGER. Mr. President, I would not answer that interrogation. I am sure that the gentleman would not want me to answer it.

Mr. WEINER. Mr. President, I would not only want him to answer it, but I would insist that he answer it in order

for me to properly vote. Perhaps the gentleman can advise me and the other Members on this side why we should vote against any of these people. He might have some information that we do not have. If he is against holding a public hearing, maybe this would be a good time, while we are in Executive Session, to so advise the Members who make up this Body why we should also join you in not voting for these gentlemen.

Mr. BERGER. Mr. President, first of all, in answer to the gentleman's interrogation, I would advise him that in my opinion, and in my opinion only, he is in no position to insist.

Mr. WEINER. Mr. President, I want to thank the gentleman. I also want to state that he is correct in that I am in no position to insist because of the fact that we do not have the votes. However, I would like to advise the gentleman that I think the insistence should not only be on the basis of the number of people you have sitting here to vote, but I think, as a citizen making up this Commonwealth, when it comes to a person to take high office, all of us should be in a position to vote intelligently on any person who comes before us. It might well be that the gentleman, or other people sitting in this Chamber or I might have certain information about somebody coming before us. I think it not only behooves us, but is incumbent upon us to make this information known to all of us.

I think the Chairman of the Committee on Executive Nominations should have made this information available to us at the committee meeting. When we attended the meeting, I knew of none of this. I am just a little chagrined that we are out here now and have taken this position without being advised that there is some sentiment against these gentlemen and the reasons therefor. I think it comes in ill-grace to bring these people up and knock them down for the purpose of running them through and making it appear that this is part of the orderly way of running this Body. We have not done so during all of this Session, nor have we done it during the Session before this one. I think this is a bad time to do it, and I think it is a bad way of handling it.

Mr. BERGER. Mr. President, I have no objection whatever in divulging to the gentleman the reasons which I believe might have been somewhat persuasive in considering this nomination.

I think we went over it rather at length earlier in the Session when we discovered that by the action of the Tax Equalization Board, a majority of the districts—I believe the districts of the sixty-two counties of the Commonwealth of Pennsylvania—were going to receive less money in their school subsidies by the action of this board. Furthermore, in some of the counties which would receive increases, the market values, Mr. President, were decreased and the assessed values were increased. We believe that that action, in itself, is sufficient to question the abilities of these men to be members of the Tax Equalization Board.

Mr. BARR. Mr. President, if I remember correctly, on the day when the Members of the Republican Caucus had the matter of the State Tax Equalization Board before them, they spoke to me in the back of the Senate during luncheon. They did not like what had happened, but they were very commendable about the job which they had done.

If people are to be castigated and, you may say, thrown out of governmental office for doing what the Legislature mandated in the Act establishing the Tax Equalization Board—and of which bill Senator Stevenson is the father—this, in my opinion, is the greatest backward step that has ever been made in the State Government of Pennsylvania.

I have witnessed what has gone on in Washington, where there is a Democratic Senate and a Republican President. Not once, Mr. President, since that has happened—and President Eisenhower has had control of the United Senate only one year since his term in office—has any one person been subjected to the treatment which these men are about to receive here today. Everyone has been called before the proper committee and has had a proper hearing. I just want to say to you gentlemen on the other side that I do not think you know how to read election returns.

Today, I asked, in the Committee on Executive Nominations, whether we could call in our nominees for the Public Utility Commission and hold a hearing. I have been a Member of the Committee on Executive Nominations for quite a number of years. I remember just the last time when the Chairman of the Commission and two nominees, Mr. Stahlnecker and Mr. Sharfsin, were called in to be questioned and they were confirmed. I can remember the day when the late Commissioner Houck's name came over to the Senate. At that time, Senator Watkins was the Secretary of the Senate. He came over to us, being from Mr. Houck's county, and I said: "Yes, if you will call a meeting of the Committee on Executive Nominations, I think we can get that done today."

I am merely asking the gentlemen on the other side to extend the same treatment to us that we extended to them during the sixteen years under Governors James, Martin, Duff and Fine. I am merely asking for fair play for these men. If these gentlemen come in and cannot make out their case, then you are as free as you are at any time to vote their names down. If I am right in what I think is going to happen today, then along with what we refer to as "Black Friday," which occurred in October 1929 when the stock market crashed, we will refer to today as "Black Monday" in the Pennsylvania Senate.

I do not think you men realize what you are doing. In my opinion, you are establishing here the worst precedent that will ever be established in this Senate. I say this as a fellow who has been honored to be here for nineteen years and, as you know, will not be here much longer.

Mr. President, I think these men have done a tremendous job. Yes, there was one man who was not around because he was suspended from his job. However, in my opinion, Mr. Bevec is probably one of the best members who ever served on the State Tax Equalization Board. The other man, the Mayor of New Kensington, is a gentleman whom I know very well. I know of his ability to run his city. I think that he has the capabilities of operating on this board.

The other member is a former Member of the United States Congress. If you will remember correctly, he is a man who, in my opinion was indicted politically. He went before his jurors and jeers up in a remote county—in Senator Wolfe's District and in a Republican area—and there the case was not even allowed to go to the jury. His name was never mentioned. I think the man has

suffered enough. If you just want to heap insult, then I think the election returns will just get worse and worse.

I ask you honorable gentlemen to consider what you are doing here. I think this is probably the most detestable moment that I have seen or observed since I have been in the Pennsylvania State Senate.

Mr. President, I ask for a roll call on our motion to lay these names on the table.

The PRESIDENT. Senator Barr, are you asking for roll call vote on that motion?

Mr. BARR. I am, Mr. President.

Mr. SILVERT. Mr. President—

The PRESIDENT. Are you seconding the request for a roll call vote?

Mr. SILVERT. No, Mr. President. I would like to be heard on the question.

The PRESIDENT. You may be heard, Senator Silvert. Please proceed.

Mr. SILVERT. Mr. President, in my nine years in this Senate, this is the first time that I have seen three men deliberately brought out for slaughter. I want to say to Senator Berger and to Senator Ehrgood that they have given, as their reasons for this type of action, the fact that the members of the board arrived at market values which reduced some of the valuations in some districts and increased them in others. I cannot agree that it was done unfairly. However, assuming that it was, where is the justice when you discredit a man, former United States Congressman Herbert J. McGlinchey, who, to the knowledge of this Senate, did not serve on this board during the time when these valuations were arrived at? As Senator Barr said, he had resigned his office, pending the clearing of his name which he succeeded in clearing. During the two years when this evaluation was going on, Herbert McGlinchey was not a part of the board. Yet, you are bringing him to slaughter for the same reasons as you are slaughtering the other two men.

I call upon your sense of fairness not to do this in this un-American way of treating a former Congressman.

Mr. McMENAMIN. Mr. President, I also request a roll call.

And the question recurring,

Will the Senate agree to the motion?

Mr. LANE. Mr. President—

The PRESIDENT. Senator Lane, we have now heard from both sides on a motion which is not debatable.

Mr. LANE. Mr. President, I have been on this floor for one-half hour, yielding to everyone else. I would like to make a speech on behalf of John Bevec.

The PRESIDENT. It so happens, Senator Lane, that John Bevec's name is not before the Body at this moment. There is only one name before the Senate for consideration, and that is the Honorable Herbert J. McGlinchey.

Mr. LANE. Mr. President, I believe that Senator Ehrgood, in his opening statement, said, if I am correct in my hearing, that the sentiments he was expressing were applicable to the other two members.

The PRESIDENT. This motion, in itself, is not debatable. At this particular moment, it is not debatable, and so far it has gone far beyond what we intended to do at the beginning.

Mr. LANE. All right, Mr. President. Let us pass the motion, and then I would like to have the floor.

The PRESIDENT. There is a motion before us to

table these nominations. It has been seconded, and we were about to vote on it. There has been a roll call vote requested by Senator Barr and Senator McMenamin.

Mr. LANE. Mr. President, I believe there have been about three speeches since that motion was made.

The PRESIDENT. I have tried to control them, Senator Lane, but they have gotten beyond me.

I think we should proceed to a vote on this particular motion.

Mr. LANE. All right, Mr. President. Go ahead and I will not object to that.

Mr. WEINER. Mr. President, is it the ruling of the Chair that we cannot speak on this motion?

The PRESIDENT. I will give you the exact ruling, and then I think we can take it from there, Senator. It reads as follows:

"It is a matter of importance to a body that the consideration of a question may be put over to a later date without debate or delay. To permit debate on the motion to lay on the table would defeat this purpose. This motion is therefore not debatable."

I would say to you that the ruling is quite clear, and it is in Mason's Manual of Legislative Procedure, Section 335, and it is the ruling of this Presiding Officer.

Mr. WEINER. Mr. President, if the Chair please, we were asking whether it is proper to speak on behalf of this motion.

The PRESIDENT. It is perfectly proper to ask a question.

Mr. WEINER. Mr. President, without debating the motion, we are speaking on behalf of the motion and we are urging the motion. We are not debating the motion at all.

The PRESIDENT. I am afraid that is a difference that cannot be recognized, sir.

Mr. WEINER. Then the ruling of the Chair is—

The PRESIDENT. The ruling of the Chair is that the motion is not debatable, and it is now placed for a vote.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BARR and Mr. McMENAMIN, and were as follows, viz:

YEAS—22

| | | | |
|--------------|-----------------|---------|----------|
| Barr, | Koprivier, Jr., | Miller, | Ruth, |
| Camiel, | Lane, | Mullin, | Seyler, |
| DiSilvestro, | Mahady, | Murray, | Silvert, |
| Donolow, | McCreesh, | Ripp, | Stiefel, |
| Hays, | McGinnis, | Rooney, | Weiner, |
| Kalman, | McMenamin, | | |

NAYS—26

| | | | |
|----------|----------|------------|----------|
| Berger, | Harney, | Propert, | Wade, |
| Chapman, | Keller, | Scott, | Wagner, |
| Confair, | Kessler, | Shafer, | Walker, |
| Ehrgood, | Kromer, | Stevenson, | Watkins, |
| Elllott, | Madigan, | Taylor, | Whalley, |
| Flack, | Mallery, | Van Sant, | Wolfe, |
| Fleming, | Pechan, | | |

So the question was determined in the negative, and the motion that the nominations be laid on the table was defeated.

RECESS

Mr. WEINER. Mr. President, I now request a twenty minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Caucus Room on

the fourth floor.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a twenty minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (William Z. Scott) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

MOTION THAT EXECUTIVE SESSION RISE

Mr. WEINER. Mr. President, I move that the Executive Session do now rise.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A voice having been taken, the question was determined in the negative, and the motion that the Executive Session rise was defeated.

MOTION TO PROCEED WITH CONSIDERATION OF NOMINATION OF HERBERT J. MCGLINCHY

Mr. FLEMING. Mr. President, I move that the Senate do now proceed with consideration of the nomination of Herbert J. McGlinchey of Philadelphia for reappointment as a member of the State Tax Equalization Board.

Mr. EHRGOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, might I suggest that the Chair peruse the Senate Rules, under the heading of Executive Nominations, Rule 38? It is a rather lengthy rule, but I think the part that is pertinent to what we are dealing with here refers to Executive Nominations and is as follows:

"... Which question shall not be put on the day on which the nomination or nominations are reported from committee, unless by unanimous consent..."

I believe that the only question before us earlier was that we go into Executive Session. If the genesis of this is wrong, or if the order is wrong, you can correct me. There was a motion that these names be tabled. The vote as to whether these names should be tabled was taken and, by majority vote, the motion fell.

The next motion made was that the Executive Session do now arise, and that also was defeated by a majority vote.

The question before us now is that we take up consideration of this nomination. I suggest to the Chair that under Rule 38, this matter is not pertinent because it must lie on the table for at least one day.

If there is any problem about this matter with the Chair, as far as unanimous consent is concerned, I believe that is withdrawn for the purpose of considering this individual name or names. I do not believe that we can take up this matter unless we violate this rule.

Mr. BERGER. Mr. President, I would agree with the gentleman wholeheartedly had it not been for the fact

that prior to going into Executive Session, the request was for unanimous consent to consider the names reported from committee at today's Session, and the unanimous consent was given and not objected to.

Therefore, Mr. President, it is entirely in order at this time to consider the business of the Executive Session.

Mr. WEINER. Mr. President, I believe that what we are dealing with is the motion made by Senator Fleming, asking that this name be now considered. For that purpose, I and my colleagues are withdrawing unanimous consent. Therefore, the Members on the other side cannot take up this matter if they are going to do them individually.

MOTION THAT UNANIMOUS CONSENT BE WITHDRAWN

Mr. LANE. Mr. President, I move that the unanimous consent, which was apparently given, be withdrawn.

Mr. WEINER. Mr. President, I second the motion.

The PRESIDING OFFICER. As the Chair understands the motion, Senator Lane, it is that the unanimous consent previously given now be withdrawn.

Mr. LANE. Yes sir, that was my motion.

Mr. BERGER. Mr. President, again, I would call the attention of the Chair to the fact that unanimous consent for the immediate consideration of the nominations was given before going into Executive Session. Therefore, I would suggest to the Chair that the motion, in Executive Session, is out of order.

Mr. SILVERT. Mr. President, I want to say that I voted under a misapprehension. It was my belief that the Chairman of the Committee on Executive Nominations brought out these names with a favorable recommendation, and that is why I voted for unanimous consent.

I now find that the chairman did not use the words, "favorable recommendation." I, therefore, object now to the consideration of the names, having voted under a misapprehension.

The PRESIDING OFFICER. There is already a motion on that, Senator Silvert.

Mr. WEINER. Mr. President, I believe the only motion before the Senate is the motion made by Senator Fleming for the purpose of voting on individual names.

There is no unanimous consent. If it was given, it has now been withdrawn. I think that is the only matter before the Senate at this moment, before you take up anything else.

Senator Fleming did not—Senator, if I am incorrect in quoting you, I wish you would correct me—ask for unanimous consent to consider this matter at this time.

Mr. FLEMING. Mr. President, I believe that if the reporter could read back my motion, you would find that the motion was that the Senate do now resolve itself into Executive Session for the purpose of considering the names reported from committee at today's Session and read by the Clerk. I would submit to the Chair that when that unanimous consent was given, there is an implied consent then that we go ahead and consider them, whether favorably or unfavorably. I would ask the Chair to so rule.

Mr. WEINER. Mr. President, I think if the gentleman will peruse the record, he will find that he asked unanimous consent for the purpose of Executive Nominations. I believe he will also find that the record states, in no uncertain terms, that there being no objection, the Clerk

would proceed. There was no further objection, there was no further asking of consent and no consent was ever given.

I do not think that you can, by indirection, term what you consider to be consent or nonconsent where none exists. If there was unanimous consent, we now withdraw it for the purpose of considering any of these names.

The chairman of the committee has asked that we consider the first name on his list, and he has not asked unanimous consent that this be done. According to Rule 38, which is what I am asking to be invoked by the Senate in the proper order of business here, you must have unanimous consent to consider this name. That has not been requested nor has it been given.

I believe the gentleman is on rather thin ground here if he is going to try to get over this rule.

The PRESIDING OFFICER. For the information of the Senators, the present occupant of the Chair was not in the Chair at the time that Senator Fleming's original motion was made. I think that the wording of that motion is very pertinent and, therefore, I would like the Senate to be at ease for a few minutes so that the Chair might become familiar with the exact wording of Senator Fleming's original motion.

If there is no objection, at this time the Chair would like the Senate to be at ease for a very few moments.

(The Senate was at ease.)

MOTION TO WITHDRAW UNANIMOUS CONSENT WITHDRAWN

Mr. LANE. Mr. President, I withdraw my motion that the apparent unanimous consent be withdrawn.

Mr. WEINER. Mr. President, I withdraw my second to the motion.

The PRESIDING OFFICER. There being no objection, the motion is withdrawn.

The Chair now recognizes the gentleman from Philadelphia, Senator Weiner.

RESTATEMENT OF POINT OF ORDER

Mr. WEINER. Mr. President, I will restate my point of order, which was as follows, and I think this was the order in which the matter appeared before the Chair:

The asking for unanimous consent by the Chairman of the Committee on Executive Nominations was for the purpose of Executive Session. After this occurred, we then went into Executive Session. The question now asked by the chairman of that committee is whether we will consider the name of the first nominee on his list, which was reported today from committee.

Under Senate Rule 38, dealing with Executive Nominations, I believe the Chair should thus put the question: "Will the Senate advise and consent to this nomination?" The only way that this can be done is by unanimous consent being granted if it is to be done the very day that it is brought from committee and placed before this Body. I suggest to the Chair, this having been done today, that is in violation of Rule 38. Unanimous consent not having been given to do this, I ask that Rule 38 be invoked and that we do not advise and consent to this matter being brought before us or that we concur in this action. I ask that the matter be laid on the table until such appropriate time when it can be brought before this Body.

The PRESIDING OFFICER. The Chair feels that the gentleman's point of order is well taken. The Chair feels that at the time when Senator Fleming asked for unanimous consent for the immediate consideration of nominations made by His Excellency, the Governor, and reported from committee at today's Session, there was a general consent given. Later on, after we did go into Executive Session, and the nominees were brought up in individual order,—the first one being Mr. McGlinchey—the Chair is of the opinion that unanimous consent again must be granted under the rules. The rules specifically say that the Chair ask that unanimous consent be given for the consideration of this nomination.

Because there has been no unanimous consent given at this time for the consideration of this nomination, the Chair feels that the point taken by Senator Weiner is well taken.

If there is no objection, the nominations reported from committee at today's Session will be laid upon the table.

POINT OF ORDER

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Fleming, will state it.

Mr. FLEMING. Mr. President, would the Chair rule, please, as of tomorrow's Session when the order of business is that of Executive Nominations, would a motion to lift from the table, made by any Member of the Senate and properly seconded and carried merely by a majority vote of the Senate, then place that nomination before the Senate for confirmation or nonconfirmation?

The PRESIDING OFFICER. The Chair is definitely of the opinion that such would occur, Senator Fleming.

Mr. WEINER. Mr. President, may we be at ease for a moment so that I might confer with the Chair?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

CLARIFICATION OF RULING BY THE CHAIR

The PRESIDING OFFICER. The chair would like to reiterate and verify the ruling that it just gave to Senator Fleming, and to state that there is no question in the Chair's mind that the nominations which have just been laid on the table, which were reported from committee at today's Session, can be considered at tomorrow's Session.

Mr. FLEMING. Do I understand the Chair, Mr. President, that we have laid on the table the nomination of Herbert J. McGlinchey only?

The PRESIDING OFFICER. I think Senator's Weiner's request was that all of the nominations reported at today's Session be laid on the table. If I am incorrect, will the Senator correct me?

Mr. WEINER. I believe the Chair is correct, that they all lie on the table.

INTERROGATION

Mr. FLEMING. Mr. President, I desire to interrogate the Minority Floor Leader, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. FLEMING. Do I understand, Senator, that you have officially asked to lay on the table the nominations of John Bevec and Raymond Gardlock as members of the Tax Equalization Board of the Commonwealth?

Mr. WEINER. No sir, Senator, I believe the correct answer to that is that I have objected to the Senate advising and consenting to these nominations as given. The only one that has been presented to the Chair, I believe, is Mr. McGlinchey.

On a point of order, I believe the Chair has ruled that these nominations now lie on the table. I have not made any request at all in regard to any of the other members.

NOMINATION OF HERBERT J. MCGLINCHY LAID ON THE TABLE

The PRESIDING OFFICER. The request of Senator Weiner was that all of the nominations, as the Chair understands it, reported at today's Session be placed upon the table. The Chair understands that only the name of Mr. McGlinchey has been read by the Clerk, and then the request was that that be laid upon the table. Accordingly, the nomination of Herbert J. McGlinchey is laid on the table.

The Chair thinks that probably all of the other nominees reported at today's Session should go through exactly the same process.

NOMINATION OF RAYMOND E. GARDLOCK TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I now call up the name of Raymond E. Gardlock of New Kensington, Pennsylvania, as a member of the State Tax Equalization Board, and ask that the Senate give it immediate consideration.

The nomination was read by the Clerk as follows:

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond E. Gardlock, 116 Marlboro Drive, New Kensington, Westmoreland County, for appointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified, vice Frank K. Cochran, Greensburg, whose term expired.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nomination read by the Clerk?

Mr. WEINER. Mr. President, I want to set the record straight. My motion originally was that we lay these nominations on the table. That motion was defeated by a majority vote. The next motion that I made was that this Executive Session do arise. That was also defeated by a majority vote. The next matter that I put to the Chair was a point of order. The Chair agreed with my point of order and invoked Rule 38. I have no power over the consequence of that rule. The Chair can rule, backed by a majority vote.

These names are being brought up, and the point of order I made earlier is still apropos. I do not believe

that the names can be brought up at this time. In other words, if they were out of order before, they are out of order now. To merely go through the naked process of bringing them before the Chair for the purpose of fulfilling the process, I think is completely out of order.

I do not want to make the job of the gentleman any more difficult. However, I think if we are going to follow an orderly procedure and we are going to play the game according to the rules, we should play it down to the very fine letter of the rules and the numbers thereof. For the gentleman to bring up these names for the purpose of having them lie on the table, I think is completely out of order. I think that should be quite apparent to him now as a result of the ruling by the Chair.

I think the reading of the name of Raymond Gardlock, or any other names he wants to read, is still out of order. Just to bring them up for the purpose of my objecting, so that the Chair can rule and they can lie on the table, is completely beyond the pale of what we are doing here.

The PRESIDING OFFICER. The Chair was of the opinion that Senator Weiner's original argument was that these names should be brought up individually, because the general unanimous consent which was originally given did not now apply when each individual name was brought before the Senate to decide whether the Senate would advise and consent to the nomination.

The Chair, at that time, ruled that the gentleman's point of order was well taken, and that unanimous consent had to be given for each individual nominee.

The Chair ruled on the name of Herbert McGlinchey and then had that name placed on the table. The Chair is definitely of the opinion, now that Senator Fleming has brought up the name of the next gentleman, Mr. Gardlock, that the same procedure should follow in that regard. Does the gentleman find fault with that?

Mr. WEINER. Mr. President, may I respectfully suggest to the Chair that the same purpose would be served without us going through this parliamentary procedure. If the chairman of the committee would ask that these names lie on the table, I think he would achieve the same purpose, rather than ask that we go through this procedure.

The PRESIDING OFFICER. I think that is absolutely correct, Senator Weiner, but the Chair is trying to be very exact and follow exactly the same thing that he did with the first nominee.

Mr. WEINER. Then tomorrow he can call them up, and we can follow the rules then.

Mr. FLEMING. Mr. President, it is not my desire that these nominations be laid on the table. I would like to go through with a vote on these last two names. However, certainly following the ruling of the Chair, if any Member of the Senate objects to immediate consideration, he should now state his objection and the matter, of necessity, following your ruling, will lie on the table.

The PRESIDING OFFICER. The Chair thinks this course of conduct is absolutely correct. The gentleman from Allegheny, Senator Fleming, has now presented the name of Mr. Gardlock, and the Chair rules that since unanimous consent has not been given, that name cannot be considered at this time. The Chair presumes, although it may have been wrong, that Senator Weiner would then request that the name be placed upon the table.

We are following through exactly as we did on the first name.

Mr. WEINER. Mr. President, that is what I am objecting to. If what the gentleman did the first time was ruled out of order by the Chair, it is now out of order if he does it the second, third, fourth or fifth time. I think if it was out of order then, he just cannot continue to do it. If that be the case, we could stay here all day, proceeding along these different lines. That is why there are rules of the Senate to govern us.

If these rules have once been ruled out of order by the Chair, I think the gentleman is still out of order. No matter how many times he reads the names or different names, they will still be out of order. To go through the mere procedure of having us object to these names is rather ridiculous.

Mr. FLEMING. Mr. President, I would submit to the Minority Floor Leader that I have no intention of appealing from the ruling of the Chair. However, the Minority Floor Leader is certainly standing on every technicality that he can. I only want to be sure that these names are properly laid on the table. I will not make that request. I insist that someone else make the request.

Have you ruled, Mr. President, that also now the name of Raymond E. Gardlock will lie on the table until tomorrow's Session?

NOMINATION OF RAYMOND E. GARDLOCK LAID ON THE TABLE

The PRESIDING OFFICER. The Chair so rules that the nomination of Raymond E. Gardlock will be laid on the table.

POINT OF INFORMATION

Mr. DONOLOW. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Donolow, will state it.

Mr. DONOLOW. Mr. President, can you clarify the language of Senate Rule No. 38 for me? The Senate Rule says that the language: "Will the Senate advise and consent to this nomination?" . . . shall not be put on the day on which the nomination or nominations are reported from committee, unless by unanimous consent."

Am I right, Mr. President, in my interpretation of this legal language, that the question itself cannot be asked unless first unanimous consent is secured and not whether the individual himself is consented to, but whether the question itself can be put, unless you first receive unanimous consent? That is the way the language appears to me, even before you get to the nominee.

The PRESIDING OFFICER. Will the Senate be at ease for a moment until the Chair is able to interpret Senator Donolow's question?

(The Senate was at ease.)

The PRESIDING OFFICER. There having been an objection to the immediate consideration of the name of Mr. Gardlock, this nomination was placed on the table.

In regard to the question put by Senator Donolow, the Chair is definitely of the opinion that the procedure which we are following is absolutely correct.

NOMINATION OF JOHN BEVEC TAKEN TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I now call up the nomination of John Bevec of Strabane, Pennsylvania, for reappointment as a member of the State Tax Equalization Board, and ask that the Senate give it immediate consideration.

The nomination was read by the Clerk as follows:

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Bevec, 173 Alexander Avenue, Strabane, Washington County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nomination read by the Clerk?

NOMINATION OF JOHN BEVEC LAID ON THE TABLE

Mr. WEINER. Mr. President, I object to the nomination of John Bevec being considered for the reasons given before. I ask that Senate Rule No. 38 be invoked as before.

The PRESIDING OFFICER. The Chair feels that Senator Weiner's point is well taken.

The Chair now places the nomination of John Bevec on the table.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion. The motion was agreed to.

SENATE RESOLUTION

AUTHORIZING APPOINTMENT OF MRS. MARY E. KUNKLE AS ACTING SENATE LIBRARIAN

Mr. TAYLOR, by unanimous consent, offered the following resolution (Serial No. 89), which was read, considered and adopted:

In the Senate, December 14, 1959.

Resolved, by the Senate of the General Assembly of the Commonwealth of Pennsylvania, that during the absence, due to illness, of Charles L. Lathero, the Librarian of the Senate, that Mary E. Kunkle, be designated Acting Senate Librarian, to act as fully in respect to all the duties of said office as the Librarian might have done had he been personally present; said authority to continue during the absence of said Charles L. Lathero or until further action by the Senate.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I am happy to report to the Members of the Senate that I talked with Mr. Lathero's

doctor a little while ago and he feels that Mr. Lathero is doing very well.

I also have a sad message to relate to the Members of the Senate. Congressman Richard Simpson, who is the leader of the Republican delegation in the House of Representatives, in Washington, was operated on today for a brain tumor. I would like to say that we express our felicitations to his family, and to Dick Simpson, and hope for his speedy recovery.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, I most certainly wish to concur in the remarks made by the gentleman from Allegheny, Senator Barr.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 1675

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 1675**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 1675

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1675**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 2173

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2173**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 2173

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 2173**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 2361

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2361**.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO HB 2361

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 2361**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HB 900

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 900**.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO **HB 900**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HB 2431

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 2431**.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO **HB 2431**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HB 1572

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), That **HB 1572**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HB 2018

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), That **HB 2018**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HB 2019

He also presented extract from the Journal of the

House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), That **HB 2019**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HB 2297

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), That **HB 2297**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, **SERIAL No. 121**

He also informed the Senate that the House has concurred in resolution from the Senate, entitled: "American History Month."

SENATE RESOLUTION

CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY AND DIOCESE OF THE LATE MOST REVER- END HUGH LOUIS LAMB, BISHOP OF THE GREENS- BURG ROMAN CATHOLIC DIOCESE

Messrs. MAHADY, KALMAN, PECHAN and KROMER, by unanimous consent, offered the following resolution (Serial No. 90), which was read, considered and adopted:

In the Senate, December 14, 1959.

On Tuesday, December 8, 1959, The Most Reverend Hugh Louis Lamb, Bishop of the Greensburg Roman Catholic Diocese, died at the age of sixty-nine.

Bishop Lamb was installed as the First Bishop of the Greensburg Diocese, which was created by Pope Pius XII out of four of the ten counties which comprised the Pittsburgh Diocese.

Several days after his appointment to the new diocese, His Eminence, Dennis Cardinal Dougherty, died and Bishop Lamb served as administrator of the Philadelphia See until the installation of Archbishop John F. O'Hara as head of the Archdiocese.

Born at Modena, near Coatesville, on October 6, 1890, Bishop Lamb studied five years at St. Charles Borromeo Seminary and completed his theological studies at the North American College in Rome. He was ordained to the Priesthood in 1915 and was assigned as Assistant Pastor of the Church of Annunciation of the Blessed Virgin Mary in Philadelphia. Throughout the years he served in many important offices in the church and at the time he was named Bishop he was Vicar General of the Philadelphia Archdiocese and Rector of the Church of Annunciation of the Blessed Virgin Mary in Philadelphia; therefore be it.

Resolved, That the members of this Senate express their profound grief in the loss of this truly outstanding Pennsylvanian who worked so earnestly for the welfare of our people, and express our sympathy to the Catholic Diocese of Greensburg in the loss of a good shepherd; and be it further

Resolved, That copies of this resolution be sent to his brother, Matthew Lamb of Coatsville, to his sister, Sister Marie Aubert, S.S.J., at teacher at St. Hubert's High School, Tacony, and to the Chancellor of the Diocese of Greensburg.

HB 1472 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1472**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HB 1472

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurring in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDING OFFICER. The Chair now turns the gavel over to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **HB 66, 1608, 1613, 1734, 1830, 1980, 2422 and 2423**.

The PRESIDENT pro tempore. The Chair again invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the purpose of the resolution I am about to offer is to pay a well deserved tribute to an outstanding Philadelphian, who contributed a lion's share to the cultural progress of Philadelphia. I am referring to Mr. Max M. Leon, who is the head of the Philadelphia Pop's Orchestra. He is a Maecenas of Art, Coryphaeus of Music and Wizard of Organization.

Through his efforts, the Grand Opera of Philadelphia is now in full bloom and is having its most successful season. I feel that he also contributed to the cultural progress of Pennsylvania. For these reasons, Mr. President, I am offering this resolution.

SENATE RESOLUTION

TRIBUTE TO MR. MAX M. LEON FOR HIS UNSELFISH SERVICE TO THE PEOPLE OF PENNSYLVANIA AND FOR HIS GENEROSITY, DYNAMISM AND LEADERSHIP WHICH CONTRIBUTED SO MUCH TO THE CULTURAL PROGRESS OF PHILADELPHIA

Mr. STIEFEL, by unanimous consent, offered the following resolution (Serial No. 91), which was read, considered and adopted:

In the Senate, December 14, 1959.

Among the unsung contributors to the cultural progress of Pennsylvania, Max M. Leon of Philadelphia, a Maecenas of Art, Coryphaeus of Music and Wizard of Dynamism, undoubtedly commands the title of "Mr. Music" of Philadelphia.

For more than three decades, Max M. Leon, with his

characteristic zeal and dedication, contributed of his efforts in many fields of musical and charitable endeavors. Among Mr. Leon's impressive accomplishments are, inter alio, the founding and organization of the Philadelphia Pop's Orchestra, to the performances whereof at Army and Naval Hospitals and Rehabilitation Centers (including the Philadelphia Naval Hospital, Valley Forge General Hospital, Swarthmore Naval Hospital, the New England General Hospital in Atlantic City and many others), he lavishly contributed not only his sustained leadership and direction, but also generous financial support to the extent of over \$100,000.00, solely given by him.

On June 27, 1945, Max Leon conducted a concert for the benefit of the U. S. Treasury War Bond Committee which was solely financed by him to the extent of \$6500, but brought in \$3,000,000 worth of Bonds sold as admission to the concert.

From 1943 to 1950, Max M. Leon conducted a series of Pop Concerts at the Academy of Music, with a score of international artists and soloists as participants, such as Jan Pearce, Rise Stevens, Grace Moore, Tod Duncan, Robert Merrill, Percy Granger and Blanche Thebom.

As the leader of the Talent Discovery Program, Max M. Leon was largely responsible for the discovery of Frank Guarerra, now with the Metropolitan Opera Company; Sherman Frank, now conducting "Jamaica" on Broadway; Thea Brandon, now singing with the Philadelphia Grand Opera Company and Lillian Shelby, now starring on Broadway in the show "Most Happy Fellow."

Recently, Max M. Leon applied his dynamism, organizing talent, musical know-how and financial wizardry to the progress of the Grand Opera Company of Philadelphia, known as the Philadelphia Grand, which is undoubtedly one of the mainsprings of Philadelphia's cultural life. (The President is Dr. Chevalier Jackson and Max M. Leon is the business manager thereof.) Placing all of his talent, time and financial contributions at the disposal of the Opera Company, Max Leon has advanced the success of the company to such an extent that the current season is being crowned with unprecedented triumphs in the history of the Company. Mr. Leon, through his knowledge of music and through his business ability, has combined the two into a surging force so that every opera during the current season has been hailed by the citizenry of Philadelphia as an unexcelled achievement.

Among the outstanding contributions of Max M. Leon to the cultural progress of Philadelphia, have been the opera performance for the school children of Philadelphia, made possible through admission for a fraction of the prices paid by the public.

Verily, the people of Pennsylvania generally and the citizens of Philadelphia in particular, owe Mr. Max M. Leon, the "Mr. Music" of Philadelphia, a debt of profound gratitude.

Be It Therefore Resolved that the Senate of the General Assembly of Pennsylvania pay tribute to Mr. Max M. Leon of Philadelphia, for his unselfish service to the people of Pennsylvania and for his generosity, dynamism and leadership which contributed so much to the cultural progress of Philadelphia.

And Be It Further Resolved that upon the adoption of the instant resolution, the Secretary of the Senate of Pennsylvania be directed to forward certified copies thereof to Max M. Leon and to Dr. Chevalier Jackson, President of the Grand Opera of Philadelphia.

REPORTS FROM COMMITTEE

Mr. RUTH, from the Committee on Rules, reported, as committed, **HB 866, 1909, 2386, 2397 and 2449**.

He also, from the Committee on Rules, rereported, as committed, **HB 1017**.

RESOLUTION REPORTED FROM COMMITTEE

Mr. BERGER, from the Committee on Rules, reported without amendment, House Concurrent Resolution No. 132, entitled:

Joint Committee to study recent amendment to Constitution providing for annual sessions.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 132

Mr. BERGER asked and obtained unanimous consent for the immediate consideration of House Concurrent Resolution No. 132.

On the question,

Will the Senate concur in the resolution?

The resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 1675

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WADE, WATKINS and LANE as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1675**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE ON CONFERENCE APPOINTED ON HB 2173

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. PECHAN, WAGNER and HAYS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 2173**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 2361

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WADE, PROPERT and SEYLER as a Committee of Conference on the part of the Senate to confer with a similar committee of the House, (already appointed) to consider the differences existing between the two houses in relation to **HB 2361**.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

SB 413 CALLED UP OUT OF ORDER

SB 413—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. BERGER.

BILL ON THIRD READING

SB 413—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Hays, | Mullin, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camel, | Kessler, | Propert, | Wade, |
| Chapman, | Koprivier, Jr., | Ripp, | Wagner, |
| Confair, | Kromer, | Rooney, | Walker, |
| DiSilvestro, | Lane, | Ruth, | Watkins, |
| Donolow, | Madigan, | Sarra, | Weiner, |
| Elliott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | Miller, | Stevenson, | Presiding Officer |

NAYS—3

| | | |
|----------|---------|------------|
| Ehrgood, | Mahady, | McMenamin, |
|----------|---------|------------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE RESOLUTION, SERIAL No. 82, CALLED UP

Mr. BERGER, without objection, called up from page 13 of the Calendar, Senate Resolution, **Serial No. 82**, entitled:

Directing the Joint State Government Commission to study the library system.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 82, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt Senate Resolution, **Serial No. 82**.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I ask my colleagues to vote "no" on Senate Resolution, **Serial No. 82**, as we feel that a report has already been made by—I believe it is called—the Greenfield Committee, which went into this problem at quite some length. Therefore, it would seem a waste of State money to further investigate a matter which has been very thoroughly discussed in this report, a copy of which was placed on every Senator's desk quite some months ago.

For that reason, I request my colleagues to vote "no."

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the motion was agreed to and the resolution was adopted.

SENATE RESOLUTION, SERIAL No. 85, CALLED UP

Mr. BERGER, without objection, called up from page 13 of the Calendar, Senate Resolution, **Serial No. 85**, entitled:

Directing the Joint State Government Commission to study current laws and administrative practices relating to the regulation of the production distribution and marketing of agricultural products in this Commonwealth.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 85, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 85.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I ask that my colleagues vote "no" on this Senate Resolution. This was contained in both Party Platforms. It has already been done and there is already quite an extensive amount of material about this problem of investigating further markets for our agricultural output. There was even money provided in the budget for this purpose which was cut out of it, I believe, over in this Chamber.

Therefore, Mr. President, I ask my colleagues to vote "no" on this Senate Resolution.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the motion was agreed to and the resolution was adopted.

SENATE RESOLUTION, SERIAL No. 87,
CALLED UP

Mr. BERGER, without objection, called up from page 13, of the Calendar, Senate Resolution, Serial No. 87, entitled:

Directing the Joint State Government Commission to study the establishment of a State Teachers College in the West Philadelphia Area.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 87 ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 87.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

REMAINING BILLS ON CALENDAR OVER IN
ORDER

All remaining bills on today's Calendar not considered were passed over in their order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: HB 866, 1017, 1909, 2386, 2397 and 2449.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, December 15, 1959, at 2:00 o'clock p. m.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:15 o'clock p. m.

HOUSE OF REPRESENTATIVES

MONDAY, December 14, 1959

The House met at 3:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God and Father, we come to Thee in gratitude for all the blessings of life; we thank Thee for Thy presence and care toward each one of us; and especially at this season of the year, we are extremely grateful for that Holy Family of long ago and the Babe of Bethlehem who has brought meaning and direction into the life of man. May each one of us during this Christmas Season find a deeper meaning for our life and the guidance and direction which will enable us to serve Thee in sincerity and truth: through Jesus Christ, Thy Dear Son, our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, December 9, 1959 will be postponed until printed.

The Chair hears none.

QUESTION OF PERSONAL PRIVILEGE

Mr. WORLEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. WORLEY. Mr. Speaker, on page 4706 of the Legislative Journal of November 17, 1959, I am recorded as voting "No" on House Bill No. 2347. This is not correct. I never voted "No" on this bill.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. J. P. O'DONNELL for today because of illness.

Mrs. Varallo for Mrs. MONROE for the week because of illness.

Mrs. Varallo for Mr. J. A. O'DONNELL for today.

Mr. Tompkins for Mr. LIGHT for today.

Mr. Tompkins for Mr. T. H. W. JONES for the week because of illness.

Mr. Tompkins for Mr. WILLAREDT for the week.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mrs. REIBMAN asked and obtained permission for the Committee on Education to meet during the session of the House.

ANNOUNCEMENT

THE CHIEF CLERK. The Legislative Chorus under the

direction of Dr. Clyde R. Dengler invites the Members of the General Assembly and its employes to join them in singing Christmas Carols around the tree in the rotunda on Tuesday, December 15, at 12 noon.

We hope all of you will take advantage of this opportunity to join your Legislative Chorus in celebrating this joyous holiday season.

RESOLUTION

RECALLING HOUSE BILL NO. 1572 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 10, 1959.

Resolved (if the Senate concur) that House Bill No. 1572, Printer's No. 1825, entitled "An act amending the act of July 28, 1953 (P. L. 723), entitled 'An act relating to counties of the second class amending, revising, consolidating and changing the laws relating thereto' further regulating reinstatement and requirements for credit for previous service and the retirement allowances of certain reemployed persons," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 2018 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), that House Bill No. 2018, Printer's No. 1976, entitled "An act amending the act of May 29, 1945 (P. L. 1132) entitled 'An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equipment to carry on

the work and making an appropriation therefor' further regulating the salary of the first aid and mine rescue instructors", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 2019 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), that House Bill No. 2019, Printer's No. 1977, entitled "An act amending the act of April 25, 1945 (P. L. 289), entitled 'An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary

expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector regulating the salary of electrical inspectors," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL NO. 2297 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 11, 1959.

Resolved (if the Senate concur), that House Bill No. 2297, Printer's No. 1973, entitled "An act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties,' changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures, clarifying certain terminology, modifying the periods of limitations and making an appropriation," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1262, entitled:

An Act amending the act of May 23, 1956 (P. L. 1662), entitled "An act authorizing the Department of Property and Supplies to acquire by gift ninety-three acres more or less of land with buildings thereon in the City of Pittsburgh, Allegheny County for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with tuberculosis and making an appropriation," extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1265, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1262, entitled:

An Act amending the act of May 23, 1956 (P. L. 1662), entitled "An act authorizing the Department of Property and Supplies to acquire by gift ninety-three acres more or less of land with buildings thereon in the City of Pittsburgh, Allegheny County for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with

tuberculosis and making an appropriation," extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1265, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 727, entitled:

An Act to provide for addition law judges of the courts of common pleas in the seventh and thirty-first judicial districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 794, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2117, entitled:

An Act amending the "Rural State Highway Law" approved June 22, 1931 (P. L. 594) changing or deleting certain routes and adding certain new routes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COMER offered the following amendment:

Amend Sec. 1, page 2, by inserting after line 15: [Route 157 Spur: Beginning at the intersection of Legislative Route 157 and Legislative Route 157 Spur, thence north-eastwardly over Legislative Route 157 Spur (North Temple Boulevard) to its intersection with Legislative Route 06143 known as Kutztown Road, a distance of 0.505 mile in Muhlenberg Township, Berks County.]

It was agreed to.

On the question recurring,

Will the House agree to the section?

Mrs. KERNAGHAN offered the following amendment:

Amend Sec. 1, page 3, by inserting between lines 17 and 18: Route 23064. Beginning at a point on the approach to the bridge over the Pennsylvania Railroad on Church Lane, in Upper Darby Township, and extending in a northerly direction through Upper Darby Township, intersecting with Route 130, to a point on the boundary line between East Lansdowne Borough and Upper Darby Township; [thence continuing northerly along said boundary line to a point about 300 feet north of Route 130; thence continuing along said boundary line in a northwesterly direction to the northern limits of East Lansdowne Borough:] said point being approximately 40 feet north of Route 130: beginning again at a point on the East Lansdowne Borough Upper Darby Township line, at the intersection of Church Lane and Long Lane, thence continuing [northwesterly] northerly through Upper Darby Township [to a point at the intersection of Long Lane and Garrett Road] on Church Lane to an intersection of Church Lane and 69th Street Boulevard, thence continuing northwesterly and northerly on 69th Street Boulevard, to an intersection of 69th Street Boulevard and West Chester Pike, in Delaware County, a distance of about [1.5] 1.39 miles.

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2118, entitled:

An Act amending the "Borough Rural State Highway Law" approved June 1, 1933 (P. L. 1172) changing or deleting certain routes and adding certain new routes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. DENGLER offered the following amendment:

Amend Sec. 1, page 3, by inserting between lines 16 and 17:

East Lansdowne Borough

Route 23064. Beginning at a point on the East Lansdowne Borough-Upper Darby Township line and about 40 feet north of Route 130; thence northerly on Church Lane, [Oak Avenue and Long Lane] through East Lansdowne Borough, to a [second] point on the [boundary line of the borough of] East Lansdowne Borough-Upper Darby Township line, at the intersection of Church Lane, Delaware County, a distance of about [0.52] 0.23 of a mile.

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2119, entitled:

An Act amending the "City State Highway Law" approved June 22, 1931 (P. L. 720) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing devise.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHWARTZ offered the following amendments:

Amend Sec. 1 (Sec. 816), page 2, line 20, by striking out "MAY" and inserting: "shall".

Amend Sec. 1 (Sec. 816), page 3, line 3, by striking out "MAY" and inserting: "shall".

On the question,

Will the House agree to the amendments?

Mr. A. W. JOHNSON. Mr. Speaker, as I understand these amendments, they are amendments which are tremendously important and would cost the official inspection stations of this state sums of money—each one, about 16,000 of them—anywhere from \$59.50 to \$2,000 depending on what type of machine was mandated.

I believe that the sponsor of this amendment should get up and explain his amendments as to why the inspection station shall be required to have an official brake-testing device, and perhaps he might give us some logical reason why we should force 16,000 filling stations and inspection stations to put in a brake-testing machine. In that connection I would like to ask Mr. Schwartz to give that explanation.

Mr. SCHWARTZ. Mr. Speaker, it is my understanding that when this bill was originally introduced it was a "shall" bill. For some reason, in the Senate, it was amended to make it a "may" bill.

My thinking is that if this bill is passed in its present form, it does not mean a thing and it should not be passed at all. It will only mean something if it is a requirement, so that the inspection stations must have the type of equipment that this bill calls for.

I understand further that this calls for a deceleration piece of equipment which is in addition to the present testing of brakes. This is not a substitution for any present tests which are made to brakes but is an addition thereto. It is supposed to be an aid to highway safety.

This piece of equipment will determine whether or

not a car decelerates within a proper limit. It is a piece of equipment which is attached to the side of the automobile and from a meter determines whether this car decelerates properly.

As I say it is in addition to any other brake tests required at the present time. It has been explained to me that this is a piece of equipment which is in aid of highway safety, something that we need very definitely at the present time. I think all Members will agree anything that will save lives on the highway should be given consideration.

I understand there was some debate and question in the Senate last week or the week before about this bill, and the Senator who introduced and sponsored this legislation resented the fact that a certain gentleman raised the question as to the very excessive cost for this type of equipment. In checking into it I find that at the present time there is only one piece of equipment that has been partially approved by the department that will sell for somewhere in the neighborhood of \$59 or \$60. The story that the piece of equipment would cost some \$1,900 was entirely farfetched, entirely out of line.

I understand the gentleman brought some protestants in to see the Senator, and the Senator allayed their suspicions and assured them that the information they were being given was cock-eyed and completely wrong; that it would not be an expensive piece of equipment at all; that it would be a piece of equipment well within the means of the various inspection stations.

That is the explanation that I have, and that is the reason I feel that either we ought to amend this bill to make it mandatory, or else we ought to recommit the bill and get rid of it. If it is not going to do any good, we do not want that kind of legislation.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to further interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be further interrogated?

Mr. SCHWARTZ. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, the bill says that if the amendments prevail, that brake-stopping distances shall be determined by the use of an approved brake testing device. Will the gentleman tell us what is an approved brake-testing device? Is there such a device today that has been approved by the Division of Safety and would be mandated on the official inspection stations?

Mr. SCHWARTZ. The answer that I have is, yes. There is a piece of equipment which is in use in the State of Rhode Island. It has been in use up there for about a year. It is the same piece of equipment that has been approved by our Department here in Pennsylvania. If we would see fit to pass this type of legislation, there is at least one piece of equipment that we know of at the present time that will receive Department approval. This is the same provision that applies to brake linings or anything else. If you have noticed it is worded in such a way that the Department of Revenue must approve the device. How many other pieces of equipment they will approve is anybody's guess, but we do know at the present time there is one that will be approved by the Department if we pass this bill. That piece of equipment sells for around \$59.

Mr. A. W. JOHNSON. Does the gentleman know

whether the Department of Revenue, Division of Safety, is cognizant of this bill and the gentleman's amendments today to make it mandatory that the official inspection stations have this device?

Mr. SCHWARTZ. They know of this bill and I understand that they were in favor of this bill. I do not know what their position was when the bill was amended so that it became a "may" rather than a "shall" bill, but it is my personal thought that unless we make this a "shall" bill, let us forget it. Nobody is going to buy any equipment if they are not required to buy it under the law. The bill in its present form, unamended, is nothing but a sham.

Mr. A. W. JOHNSON. Could the gentleman have a letter read to this House by the **Bureau of Highway Safety** that it is their considered opinion that in the interest of highway safety in Pennsylvania we must mandate that each official inspection station have an approved brake-testing machine of some type or other approved by the Department of Revenue?

Mr. SCHWARTZ. The only way we could do that, Mr. Speaker, would be to table the bill to give me an opportunity to see what I can do on that score. I do not have such a letter at the present time with me. I believe there is some correspondence to that effect. I do not have it here to read to the House.

Mr. A. W. JOHNSON. I believe that is all, Mr. Speaker.

Mr. Speaker, as I went over this bill this morning I was not particularly against the idea that an official inspection station would be allowed to be equipped with this approved brake-testing device, but I felt that the bill would mean that if the inspection station used this approved device and approved your brakes and so certified that in the opinion of the official inspection station, by reason of having used this approved brake-testing device, that your brakes were in good condition, that that would put the legal stamp of approval upon that type of inspection by an official station. I felt that was all that this bill did. If that is what the idea is, that a station may use this machine—which in effect would be in lieu of pulling off your wheels and examining your brake drums and so forth—and if the Division of Safety, when the bill would get to the Governor's office, would think that is a good substitute and a way of testing whether your brakes are all right or not, there is nothing wrong with the bill. But when you come along and the language says that every official station must have an approved machine and we, right here, do not know what the machine is nor what it will cost or anything, I think that is mandating something and that is going pretty far.

I know in my community, in my county, I do not want to walk down the streets—there are about five or six official stations in my town—I do not want them to say next year in the primary election, well, Johnson, that was a great thing you foisted over on us, making us buy a machine for "X" number of dollars. That means that when we inspect your car we are going to charge you two bucks for the use of the machine in addition to the fifty cents.

I think it is not a very good idea to mandate a thing like that at this point. I do not object to legalizing the use of a brake-testing machine which would be in lieu of ripping off the wheel and going to a lot of time and

trouble. There are probably a lot of big stations that are busy and that would like to put in a \$2,000 machine where they could run a car on it and in three seconds test your brakes and collect the fifty cents. That is probably good, but when you say that every dinky little station in Pennsylvania has to have an approved brake-testing device, I think you are going a little far. Therefore, I am against the amendment.

Mr. SCHWARTZ. Mr. Speaker, I am sure that the gentleman from McKean, Mr. Johnson, is in full sympathy with me, that he would be in favor of anything which will improve highway safety. I know that he is sincere in his thoughts as he expressed them here on the floor.

It is my feeling that we do not go far enough with testing of automobiles. In fact, I feel that the test ought to be made every three months rather than every six months because under our present system some cars go as long as nine months without a test.

I want to make a motion at this time to put this bill and the amendments on the postponed calendar—on the table, Mr. Speaker—so that we can check into the thing a little more carefully and see if we can come up with some of the answers that Mr. Johnson has requested.

BILL POSTPONED

Mr. SCHWARTZ. Mr. Speaker, I move that this bill together with the amendments be placed on the second reading postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers upon the Department of Highways and local authorities * * * for sharing of the cost * * * of such highways

On the question,

Shall the bill pass finally?

Mr. HELM. Mr. Speaker, I would like to ask the gentleman to turn to page 44 of Printer's No. 2103.

On page 44 of the present bill there appears a taking over of a road in Armstrong County. I would like to ask the gentleman if I requested that road to be taken over?

Mr. COMER. At this time I could not answer that question, Mr. Speaker.

Mr. HELM. I would advise the gentleman I did not request it. I would like to ask him if he had any request from the gentleman from Armstrong, Mr. Guthrie, for the taking over of this road.

Mr. COMER. The same answer would prevail, Mr. Speaker.

Mr. HELM. Did the gentleman have a request from the

Senator from our Senatorial District for the taking over of this road?

Mr. COMER. That could be, Mr. Speaker.

Mr. HELM. I would like to inform the gentleman that I have talked with the Senator and he advised me that he did not request it, neither did the House Members. Therefore, my next question, Mr. Speaker, is, who did request this road to be taken over in Armstrong County?

Mr. COMER. My answer to that at this time, Mr. Speaker, would be, I do not know.

Mr. HELM. Well, the gentleman certainly had a request from someone in his Committee. Certainly he must have had a letter from someone or at least a note asking that it be taken over.

Mr. COMER. Mr. Speaker, you can pick out different sections, different amendments, to this bill and at this time I could not give you the names of who offered the amendment to me or made the request.

Mr. HELM. Well, does the gentleman have any records in his office of these requests having been received and who sent them to him?

Mr. COMER. I probably would, Mr. Speaker.

Mr. HELM. Would the gentleman be kind enough to hold the bill up a few minutes while he checks with his office to find the information for me?

Mr. COMER. It is all right with me, Mr. Speaker.

Mr. HELM. I thank the gentleman. I would like to have the information before voting on the bill.

I request that the bill be held up temporarily.

BILL PASSED OVER

The SPEAKER. If there are no objections, the bill will be passed over temporarily.

The Chair hears no objections.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, come to the desk?

Mr. LOPRESTI IN THE CHAIR

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of Senate Bill No. 667, entitled:

An Act amending the act of January 14, 1952 (P. L. 2016) entitled "An act providing for supplementing the police forces of cities boroughs towns and townships for the appointment powers and control of auxiliary police therein * * *" further defining the training of auxiliary policemen and authorizing chiefs of police to place auxiliary policemen on active duty in order that they may obtain such training

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mrs. HENZEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 2295, Printer's No. 2004

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2444, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Frank, | Lulgard, | Riley, |
| Anderson, | Frascella, | Lutty, | Rovansek, |
| Arlene, | Fulmer, | McCandless, | Royer, |
| Ashton, | Gailey, | McCann, | Rudisill, |
| Auker, | Gallagher, | McCormack, | Sakulsky, |
| Balthaser, | Garlock, | McDonald, | Scarcelli, |
| Barton, | Gelfand, | McInroy, | Schaaf, |
| Bell, | Gibb, | McLaughlin, | Schwartz, |
| Blair, | Goldstein, J. H., | Machmer, | Seltzer, |
| Boles, | Gramlich, | Mahan, | Sherman, |
| Bonner, | Guthrie, | Markley, | Snare, |
| Boris, | Hamilton, | Maxwell, | Snider, |
| Bower, | Haudenshield, | Meholchick, | Stank, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Heffner, | Miller, B. Z., | Stewart, |
| Brenninger, | Helm, | Mills, | Stoner, |
| Breth, | Henzel, | Muldowney, | Strausser, |
| Buchanan, | Hooker, | Mullen, | Stroup, |
| Burns, | Holliday, | Munley, | Sullivan, |
| Capano, | Holt, | Murphy, A. J., Jr., | Taylor, |
| Capitolo, | Horst, | Murphy, P. J., | Thompson, |
| Cianfrani, | Irvis, | Murray, H. P., | Tompkins, |
| Cioffi, | Isaacs, | Murray, P. G., | Trusio, |
| Comer, | Jim, | Musto, | Ujobal, |
| Crossin, | Johnson, A. W., | Naugle, | Varallo, |
| Davis, | Johnson, R., | Needham, | Varnier, |
| Dengler, | Jones, F. R., | Nelson, | Verona, |
| Dennis, | Kamyk, | Odorisio, | Wall, |
| Dennison, | Kee, | Ogilvie, | Walsh, |
| Devlin, | Kelser, | O'Neil, | Wargo, |
| Donahue, | Kernaghan, | Parlante, | Weidner, |
| Donaldson, | Kessler, | Fashley, | Welsh, |
| Dougherty, | Knecht, | Perry, H. H., | Wescott, |
| Edwards, | Kooker, | Perry, P. E., | Wheeler, |
| Eilberg, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Eshback, | Korns, | Polaski, | Williams, E. S., |
| Eshleman, | Kovolenko, | Polen, | Wilt, |
| Ewing, | Kubitsky, | Prendergast, | Worley, |
| Farabaugh, | Lee, A. M., | Price, | Yatron, |
| Fetterolf, | Lee, K. B., | Pursley, | Yetter, |
| Filo, | Leonard, | Reibman, | Zimmerman, |
| Fineman, | Limper, | Renwick, | |
| Floyd, | Lippincott, | Rigby, | Andrews, |
| Flynn, | Lopresti, | | Speaker |

NAYS—0

NOT VOTING—37

| | | | |
|-------------------|------------------|-------------------|------------|
| Brown, | Jenkins, | Monroe, | Silverman, |
| Clarke, | Jones, T. H. W., | Moran, | Stevens, |
| Ccooper, | Jump, | Murray, J. J., | Stimmel, |
| Curwood, | Lamb, | O'Dell, | Stone, |
| Down, | Light, | O'Donnell, J. A., | Whittaker, |
| Foerster, | McKeever, | O'Donnell, J. P., | Willard, |
| Fox, | Magee, | Reidenbach, | Willaredt, |
| George, | Merry, | Schuster, | Wood, |
| Goldstein, M. H., | Miller, H. G., | Shupnik, | Wynd, |
| Goodrich, | | | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2463, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Frank, | Lulgard, | Riley, |
| Anderson, | Frascella, | Lutty, | Rovansek, |
| Arlene, | Fulmer, | McCandless, | Royer, |
| Ashton, | Gailey, | McCann, | Rudisill, |
| Auker, | Gallagher, | McCormack, | Sakulsky, |
| Balthaser, | Garlock, | McDonald, | Scarcelli, |
| Barton, | Gelfand, | McInroy, | Schaaf, |
| Bell, | Gibb, | McLaughlin, | Schwartz, |
| Blair, | Goldstein, J. H., | Machmer, | Seltzer, |
| Boles, | Gramlich, | Mahan, | Sherman, |
| Bonner, | Guthrie, | Markley, | Snare, |
| Boris, | Hamilton, | Maxwell, | Snider, |
| Bower, | Haudenshield, | Meholchick, | Stank, |
| Bowman, | Heavey, | Mihm, | Steckel, |
| Branca, | Heffner, | Miller, B. Z., | Stewart, |
| Brenninger, | Helm, | Mills, | Stoner, |
| Breth, | Henzel, | Muldowney, | Strausser, |
| Buchanan, | Hooker, | Mullen, | Stroup, |
| Burns, | Holliday, | Munley, | Sullivan, |
| Capano, | Holt, | Murphy, A. J., Jr., | Taylor, |
| Capitolo, | Horst, | Murphy, P. J., | Thompson, |
| Cianfrani, | Irvis, | Murray, H. P., | Tompkins, |
| Cioffi, | Isaacs, | Murray, P. G., | Trusio, |
| Comer, | Jim, | Musto, | Ujobal, |
| Crossin, | Johnson, A. W., | Naugle, | Varallo, |
| Davis, | Johnson, R., | Needham, | Varnier, |
| Dengler, | Jones, F. R., | Nelson, | Verona, |
| Dennis, | Kamyk, | Odorisio, | Wall, |
| Dennison, | Kee, | Ogilvie, | Walsh, |
| Devlin, | Kelser, | O'Neil, | Wargo, |
| Donahue, | Kernaghan, | Parlante, | Weidner, |
| Donaldson, | Kessler, | Fashley, | Welsh, |
| Dougherty, | Knecht, | Perry, H. H., | Wescott, |
| Edwards, | Kooker, | Perry, P. E., | Wheeler, |
| Eilberg, | Kornick, | Petrosky, | Williams, A. D., Jr., |
| Eshback, | Korns, | Polaski, | Williams, E. S., |
| Eshleman, | Kubitsky, | Polen, | Wilt, |
| Ewing, | Kovolenko, | Prendergast, | Worley, |
| Farabaugh, | Lee, A. M., | Price, | Yatron, |
| Fetterolf, | Lee, K. B., | Pursley, | Yetter, |
| Filo, | Leonard, | Reibman, | Zimmerman, |
| Fineman, | Limper, | Renwick, | |
| Floyd, | Lippincott, | Rigby, | Andrews, |
| Flynn, | Lopresti, | | Speaker |

NAYS—0

NOT VOTING—37

| | | | |
|-------------------|------------------|-------------------|------------|
| Brown, | Jenkins, | Monroe, | Silverman, |
| Clarke, | Jones, T. H. W., | Moran, | Stevens, |
| Cooper, | Jump, | Murray, J. J., | Stimmel, |
| Curwood, | Lamb, | O'Dell, | Stone, |
| Down, | Light, | O'Donnell, J. A., | Whittaker, |
| Foerster, | McKeever, | O'Donnell, J. P., | Willard, |
| Fox, | Magee, | Reidenbach, | Willaredt, |
| George, | Merry, | Schuster, | Wood, |
| Goldstein, M. H., | Miller, H. G., | Shupnik, | Wynd, |
| Goodrich, | | | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

Senate Bill No. 725, Printer's No. 1625

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employees in such cases.

On the question,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by inserting after "cases" "changing provisions relating to excuses from attending school."

Amend Bill, page 4, by inserting between lines 3 and 4 Section 2. Section 1329 of the act is amended to read:

Section 1329. Excuses from Attending School.— The board of school directors of any school district may, upon certification by any licensed practitioner of the healing arts or upon any other satisfactory evidence being furnished to it, showing that any child or children are prevented from attending school, or from application to study, on account of any mental, physical, or other urgent reasons, excuse such child or children from attending school as required by the provisions of this act, but the term "urgent reasons" shall be strictly construed and shall not permit of irregular attendance. In every case, such action by the board of school directors shall not be final until the approval of the Department of Public Instruction has been obtained. Every principal or teacher in any public, private, or other school may, for reasons enumerated above, excuse any child for non-attendance during temporary periods.

Amend Sec. 2, page 4, line 4 by striking out "2" and inserting: "3."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. McCANN. Mr. Speaker, I call up on page 3 of today's calendar, House Bill No. 2459, bill on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers upon the Department of Highways and local authorities * * * for sharing of the cost * * * of such highways.

On the question,

Shall the bill pass finally?

Mr. HELM. Mr. Speaker, I would once again repeat and ask the gentleman from Philadelphia, Mr. Comer, if he will answer the question I asked him before we passed the bill over.

Mr. COMER. Mr. Speaker, according to my records this request the gentleman inquired about was given to me by the Highway Department.

Mr. HELM. By the Highway Department in Armstrong County or by the Highway Department in Harrisburg?

Mr. COMER. Well, I would say in Harrisburg, Mr. Speaker.

Mr. HELM. Well, I thank the gentleman, but I do not think he has given me much information because the Highway Department is a big outfit. You could not pin it down as to the individual who gave you the request?

Mr. COMER. That is right, Mr. Speaker.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman if he will turn to page 14 of the bill, on line 15. I believe that is a description of a particular piece of road that is being taken over in Allegheny County and it reads, "Beginning at a certain point thence over Lovedale road to its intersection with Pennsylvania Route 48 a distance of 242 miles."

Mr. COMER. Mr. Speaker, I believe that is a printer's error. This error was picked out and it was agreed that all errors and amendments to the bill would be made in another place.

Mr. HELM. I am sure it must have been a printer's error, but will the gentleman tell the House whether it is 2.42 miles or 24.2 miles?

Mr. COMER. I believe it is 2.42 miles, Mr. Speaker.

Mr. HELM. I thank the gentleman.

Mr. Speaker, I would also like to ask the gentleman why, in House Bill 2459, if he can give me a sound reason, because it is a departure from normal procedure, we include the roads that we are taking over and the streets we are taking over in the cities, boroughs and township all in one bill?

Mr. COMER. Mr. Speaker, sitting down with Members of another place, I was informed that the procedure I had used before pertaining to cities and counties of the first and second class, by sending in an individual bill,

was not the procedure they want to use as far as our highway program is concerned. So, as in the past, we made many changes to satisfy everybody concerned. I made one complete bill which I expect to pass through the House and I believe it will meet the wishes and requirements of the other place.

Mr. HELM. Mr. Speaker, then I would like to ask the gentleman, if that is the agreed upon procedure, why was not the same procedure followed under deletions of highways?

Mr. COMER. It was held, I was advised I might say by counsel, that the deletions should be in three separate bills, boroughs, townships and cities.

Mr. HELM. What is the reasoning behind that when it is the agreed procedure to take over highways and take them over all in one bill. Why could we not follow the same procedure in deleting highways?

Mr. COMER. Well, many times, Mr. Speaker, as it has happened in this bill, printer's errors occur. They felt that if we separate the deletions from the additions it would be far easier.

Mr. HELM. Well, I am sure that I am not going to get any other answer from the gentleman although he knows full well that is not the reason.

Mr. COMER. You ask me a reason. I give it, Mr. Speaker.

Mr. HELM. The gentleman has not given a reason; he has given an excuse.

Mr. COMER. You asked me for a reason, and that is a reason.

Mr. HELM. I would like to ask the gentleman, if House Bill 2459 is enacted into law and signed by the governor, what the cost to the Commonwealth will be for maintenance for the roads and bridges that are being taken over.

Mr. COMER. I raised that point, Mr. Speaker, with the Highway Department, and they thought it would be impossible at this time to give an accurate estimate.

Mr. HELM. Do you mean to tell me that this House is asked to take over highways in this Commonwealth without having any idea as to how much it is going to cost to maintain them?

Mr. COMER. In answer to that, Mr. Speaker, did the gentleman ever get a figure in other sessions on the estimate of the omnibus bill?

Mr. HELM. Yes, sir. I certainly can answer that in the affirmative.

Mr. COMER. Can you give me a figure on the cost of the omnibus bill last session?

Mr. HELM. I have no idea at this particular moment. The Chairman of the Committee on Highways handled that and I certainly do not have those figures, but I believe we should have that information at our disposal. The gentleman knows it is going to cost at least \$1,200 a mile to maintain township roads.

Mr. COMER. I could estimate, say, it would cost \$1,000 to \$1,200 per mile, yes.

Mr. HELM. Does the gentleman have a figure on how much it is going to cost to maintain the bridges and tunnels in Allegheny County that we are taking over?

Mr. COMER. No, I do not, Mr. Speaker.

Mr. HELM. Well, for the information of the gentleman, I have been informed that it will cost about \$3 million a biennium.

Mr. COMER. May I ask the gentleman, Mr. Speaker, where did these figures come from?

Mr. HELM. They were given to me by what I would say was a rather reliable source.

Mr. COMER. Was it the Highway Department?

Mr. HELM. Well, I do not have the entree to the Highway Department that the gentleman from Philadelphia has, so I cannot get my information there. I even tried to get a marked township map to show me where the piece of road was they are taking over in Armstrong County. I made that request seven days ago, and up until this moment have not gotten the map, so I am not as fortunate as the gentleman from Philadelphia, Mr. Comer, but I say to you that we should have some idea as to how much this is going to cost this Commonwealth before we just take over any x number of miles of highways in the Commonwealth.

I am only asking the figure on maintenance. Certainly, if any of these roads have to be topped, reconstructed, or relocated it is going to cost untold millions of dollars, and I think that is very poor business for us just to go out and take over roads when we have no idea, which we apparently have not, as to the actual cost. Therefore, Mr. Speaker, I think this bill in its present form should be defeated.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—141

| | | | |
|------------|---------------|---------------------|------------|
| Agnew, | Floyd, | Lutty, | Renwick, |
| Anderson, | Flynn, | McCandless, | Rigby, |
| Arlene, | Frank, | McCann, | Riley, |
| Balthaser, | Frascella, | McCormack, | Rovansek, |
| Barton, | Galley, | McDonald, | Rudisill, |
| Bell, | Gallagher, | McLaughlin, | Sakulsky, |
| Blair, | Garlock, | Machmer, | Scarcelli, |
| Boies, | Gelfand, | Mahan, | Schaaf, |
| Bonner, | George, | Markley, | Schwartz, |
| Boris, | Gibb, | Maxwell, | Sherman, |
| Bower, | Gramlich, | Meholchick, | Shupnik, |
| Branca, | Hamilton, | Mihm, | Snare, |
| Breth, | Haudenshield, | Miller, B. Z., | Snider, |
| Burns, | Heavey, | Mills, | Stank, |
| Capano, | Holt, | Muldowney, | Steckel, |
| Capitolo, | Horst, | Mullen, | Stewart, |
| Cianfrani, | Irvia, | Munley, | Strusser, |
| Cioffi, | Isaacs, | Murphy, A. J., Jr., | Sullivan, |
| Comer, | Jim, | Murray, H. P., | Taylor, |
| Crossin, | Jones, F. R., | Musto, | Thompson, |
| Curwood, | Kamyk, | Naugle, | Trusio, |
| Davis, | Kee, | Needham, | Varallo, |
| Dengler, | Kernaghan, | Nelson, | Verona, |
| Dennis, | Kessler, | Odorisio, | Wall, |
| Dennison, | Knecht, | O'Neill, | Walsh, |
| Devlin, | Kooker, | Parlante, | Wargo, |
| Donahue, | Kornick, | Pashley, | Welsh, |
| Donaldson, | Korns, | Perry, H. H., | Wheeler, |
| Dougherty, | Kovolenko, | Perry, P. E., | Wilt, |
| Edwards, | Kubitsky, | Petrosky, | Worley, |
| Ellberg, | Lamb, | Polaski, | Yatron, |
| Eshback, | Lee, A. M., | Polen, | Zimmerman, |
| Ewing, | Leonard, | Prendergast, | |
| Farabaugh, | Limper, | Pursley, | |
| Filo, | Lopresti, | Reibman, | Andrews, |
| Fineman, | Lulgard, | | Speaker |

NAYS—35

| | | | |
|-------------------|-----------------|----------------|-----------------------|
| Ashton, | Guthrie, | Lippincott, | Stroup, |
| Auker, | Helm, | McInroy, | Tompkins, |
| Bowman, | Henzel, | Murphy, P. J., | Ujohal, |
| Brenninger, | Hocker, | Murray, P. G., | Varner, |
| Buchanan, | Holliday, | Ogilvie, | Weidner, |
| Eshleman, | Johnson, A. W., | Price, | Wescott, |
| Fetterolf, | Johnson, R., | Royer, | Williams, A. D., Jr., |
| Fulmer, | Kelser, | Seltzer, | Williams, E. S., |
| Goldstein, J. H., | Lee, K. B., | Stoner, | |

NOT VOTING—34

| | | | |
|-------------------|------------------|-------------------|------------|
| Brown, | Jenkins, | Moran, | Stimmel, |
| Clarke, | Jones, T. H. W., | Murray, J. J., | Stone, |
| Cooper, | Jump, | O'Dell, | Whittaker, |
| Down, | Light, | O'Donnell, J. A., | Willard, |
| Foerster, | McKeever, | O'Donnell, J. P., | Willaredt, |
| Fox, | Magee, | Reidenbach, | Wood, |
| Goldstein, M. H., | Merry, | Schuster, | Wynd, |
| Goodrich, | Miller, H. G., | Silverman, | Yetter, |
| Hefner, | Monroe, | Stevens, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. RUDISILL asked and obtained permission for the Committee on Judiciary to meet during the session of the House.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 871, 1213, 1997, 2218, 2260 AND 2261.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 871, Printer's No. 1735, entitled "An Act amending the act of April 29, 1959 (P. L. 58) entitled 'The Vehicle Code' further regulating school bus lighting equipment."

DAVID L. LAWRENCE

December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1213, Printer's No. 1075, entitled "An Act amending the act of June 12, 1951 (P. L. 533) entitled 'The Mental Health Act of 1951' changing requirements for admission or detention of certain patients further regulating the payment of costs for the care of such patients and limiting liability for such payment."

DAVID L. LAWRENCE

December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1997, Printer's No. 1880, entitled "An Act amending the act of June 21, 1939 (P. L. 566) entitled 'The Pennsylvania Occupational Disease Act' including certain diseases of fire-fighters within the meaning of the term occupational disease."

DAVID L. LAWRENCE

December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2218, Printer's No. 2012, entitled "An Act appropriating all revenues exceeding a stated amount over the aggregate amount appro-

priated by the General Assembly for all purposes for the reduction of the bonded indebtedness of the Commonwealth."

DAVID L. LAWRENCE

December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2260, Printer's No. 1579, entitled 'An Act amending the act of June 25, 1947 (P. L. 1145) entitled as amended "An act empowering cities of the second class cities of the second class A cities of the third class boroughs towns townships of the first class townships of the second class school districts of the second class school districts of the third class and school districts of the fourth class to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes subject to maximum limitations for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced providing an appeal from the ordinance or resolution levying such taxes to the court of quarter sessions and to the Supreme Court and Superior Court' providing for levying assessment and collection of taxes by certain independent school districts."

DAVID L. LAWRENCE

December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2261, Printer's No. 2003, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' providing for the levying and collection of taxes by certain independent school districts."

DAVID L. LAWRENCE

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 355

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 355, Printer's No. 1710, entitled "An Act amending the act of May 1, 1933 (P. L. 103), entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' changing the amount of dues which may be paid by the township to the State Association of Township Supervisors."

This bill would amend section 610 of The Second Class Township Code, the act of May 1, 1933, P. L. 103, as last amended by the act of June 1, 1956, P. L. 2021, by deleting the provision that fixes the sum of \$20.00 per year per township as the maximum dues which will be assessed by the State Association of Township Supervisors and shall be paid by the member townships from their General Township Funds.

The Association of Township Supervisors is composed of all of the townships of the Commonwealth and under the provisions of all of the townships of the Commonwealth and under the provisions of section 611 of the Code, each township pays dues to the Association from the General Fund of the township.

In the interest of assuring each township of the maximum amount of dues that may be assessed by the Association and enable each township to participate in its activity, I believe that the dues assessed by the Associa-

tion per township and which the member townships shall pay from their General Township Funds should be limited to at least a maximum sum to be charged for such membership.

The deletion of the \$20.00 per year membership as maximum yearly dues, in my opinion, would leave an uncontrolled and unwarranted blanket authority in the Association.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. WESTCOTT. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 2120

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, December 10, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 2120, Printer's No. 1400, entitled "An Act amending the act of May 28, 1937 (P. L. 1053) entitled 'An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the pro-

visions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act' prescribing an alternative method for fixing the rates of certain common carriers."

This bill amends Section 311 of the Public Utility Law by providing an alternative method for valuing the property of public utilities engaged exclusively in common carriage by motor vehicles. In lieu of other standards established by law, the bill provides for fixing the fair return by relating the fair and reasonable operating expenses, depreciation, taxes and other costs of furnishing service to carrier operating revenues.

While the bill is permissive, it opens the door to consumer difficulties. It would allow the use of the present formula where it would help the utility and the use of the operating ratio formula where that would prove more beneficial. It is our opinion that this bill would place a premium upon inefficient operation.

We call your attention to the fact that a bill more protective to the consumers than the present bill, involving operating ratio, was enacted in the 1957 session and vetoed by Governor Leader.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. BOWMAN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 66.

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

HOUSE BILL No. 1608.

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929" creating the State Board of Public Welfare and several departmental advisory committees within the Department of Public Welfare abolishing certain existing boards councils commissions and committees transferring powers from the State Council for the Blind to the Department of Public Welfare and giving the Department of Public Welfare power to reimburse counties for child welfare programs and purchase certain services.

HOUSE BILL No. 1613.

An Act amending the act of June 3, 1943 (P. L. 847), entitled as amended "An act creating a revolving fund in the State Treasury to be used by the State Council for the Blind . . ." transferring functions from the State Council for the Blind to the Department of Public Welfare.

HOUSE BILL No. 1734.

An Act creating an Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity in the use of funds appropriated by the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation."

HOUSE BILL No. 1830.

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly

heretofore and hereafter enacted relating to the taxation of real estate.

HOUSE BILL No. 1980.

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" further regulating the marking and counting of ballots.

HOUSE BILL No. 2422.

An Act amending the "Uniform Commercial Code" approved April 6, 1953 (P. L. 3), correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states.

HOUSE BILL No. 2423.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council INC Boy Scouts of America.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEE

Mr. WILT from the Committee on Judiciary, reported as amended, Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania making the General Assembly a continuing body and providing for the calling of special sessions.

Mr. IRVIS from the Committee on Judiciary, reported as committed, Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1081, entitled:

An Act empowering certain corporations owning and operating street railway or street passenger railway lines extending for all or some of their distance upon railway right of way on or over private property to occupy adapt use and maintain all or portions of such railway right of way on or over private property and railway structures on such right of way as and for scheduled routes for the transportation of persons in common carriage by motor vehicle in conjunction with or in total or partial substitution for railway operation over such right of way so occupied and adapted for such motor carrier transportation and conferring the power of eminent domain.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. LIPPINCOTT, HELM and P. J. MURPHY.

The roll was verified and was as follows:

YEAS—98

| | | | |
|------------|---------------|--------------------|------------|
| Anderson, | Foerster, | McDonald, | Riley, |
| Arlene, | Frank, | Machmer, | Rovansek, |
| Balthaser, | Galley, | Marwell, | Royer, |
| Boles, | Gallagher, | Meholchick, | Rudisall, |
| Bonner, | Garlock, | Mills, | Scarcelli, |
| Bowman, | Hamilton, | Muldowney, | Schaaf, |
| Branca, | Heavey, | Mullen, | Schwartz, |
| Breth, | Hocker, | Munley, | Sherman, |
| Buchanan, | Holliday, | Murphy, A. J., Jr. | Shupnik, |
| Burns, | Holt, | Murray, P. G., | Snider, |
| Capano, | Irvis, | Musto, | Stank, |
| Capitolo, | Jim, | Needham, | Stoner, |
| Cianfrani, | Jones, F. R., | Nelson, | Strausser, |
| Cioffi, | Kamyk, | Ogilvie, | Sullivan, |
| Comer, | Kelser, | O'Neill, | Taylor, |
| Crossin, | Knecht, | Parlante, | Varallo, |
| Curwood, | Kornick, | Pashley, | Verona, |
| Dennis, | Kovolenko, | Perry, H. H., | Walsh, |
| Devlin, | Leonard, | Perry, P. E., | Wargo, |
| Ellberg, | Limper, | Polaski, | Welsh, |
| Eshleman, | Lopresti, | Polen, | Wheeler, |
| Farabaugh, | Luigard, | Prendergast, | Yatron, |
| Filo, | Lutty, | Price, | |
| Floyd, | McCann, | Reibman, | |
| Flynn, | McCormack, | Renwick, | Andrews, |
| | | | Speaker |

NAYS—68

| | | | |
|-------------|-------------------|----------------|-----------------------|
| Agnew, | Frascella, | Kooker, | Seltzer, |
| Ashton, | Fulmer, | Korns, | Snare, |
| Auker, | Gelfand, | Kubitsky, | Steckel, |
| Barton, | George, | Lee, A. M., | Stewart, |
| Bell, | Gibb, | Lee, K. B., | Stroup, |
| Blair, | Goldstein, J. H., | Lippincott, | Thompson, |
| Bower, | Gramlich, | McCandless, | Tompkins, |
| Brenninger, | Guthrie, | McInroy, | Ujbal, |
| Davis, | Haudenschild, | Mahan, | Varnier, |
| Dengler, | Helm, | Markley, | Wall, |
| Donahue, | Henzel, | Miller, B. Z., | Weidner, |
| Donaldson, | Horst, | Murphy, P. J., | Wescott, |
| Dougherty, | Isaacs, | Murray, H. P., | Williams, A. D., Jr., |
| Edwards, | Johnson, R., | Naugle, | Williams, E. S., |
| Eshback, | Kee, | Odorisio, | Wilt, |
| Ewing, | Kernaghan, | Pursley, | Worley, |
| Fetterolf, | Kessler, | Rigby, | Zimmerman, |

NOT VOTING—44

| | | | |
|-------------------|------------------|-------------------|------------|
| Boris, | Jenkins, | Miller, H. G., | Silverman, |
| Brown, | Johnson, A. W., | Monroe, | Stevens, |
| Clarke, | Jones, T. H. W., | Moran, | Stimmel, |
| Cooper, | Jump, | Murray, J. J., | Stone, |
| Dennison, | Lamb, | O'Dell, | Trusio, |
| Down, | Light, | O'Donnell, J. A., | Whittaker, |
| Fineman, | McKeever, | O'Donnell, J. P. | Willard, |
| Fox, | McLaughlin, | Petrosky, | Willaredt, |
| Goldstein, M. H., | Magee, | Reidenbach, | Wood, |
| Goodrich, | Merry, | Sakulsky, | Wynd, |
| Heffner, | Mihm, | Schuster, | Yetter, |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being on objection

Senate Bill No. 1115, Printer's No. 1640 was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1266, entitled:

An Act requiring certain authorities to grant the right to political subdivisions to flush their fire hydrants.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules for the purpose of amendment.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

By Messrs. A. J. MURPHY, TAYLOR and P. J. MURPHY. HOUSE BILL No. 2466.

An Act prohibiting the operation of pusher engines behind occupied cabin cars of assembled freight trains and providing penalties.

Referred to the Committee on Rules.

INTERROGATION

Mr. RIGBY asked and obtained unanimous consent to interrogate Mr. WARGO.

Mr. Speaker, last week I interrogated the gentleman and I requested that the gentleman from Lackawanna, Mr. Wargo, give some consideration to House Bill No. 962. At that time he said that he would. He said that he could assure me he would take this matter up with all parties involved. When I say, all parties involved I also mean the labor union who are in on this problem.

I would like to know from the gentleman if he has done that.

Mr. WARGO. Yes Mr. Speaker, I have been checking it out. I assured the gentleman I would give it consideration, and I will.

Mr. RIGBY. Well, Mr. Speaker, when? We are running out of time.

Mr. WARGO. Mr. Speaker, I can answer that in a pretty sharp way, but you will have to take my word for it that I will give it consideration.

Mr. RIGBY. I did not hear the gentleman, Mr. Speaker.

Mr. WARGO. When I clear with all parties, individuals, and organizations, I shall give it consideration.

Mr. RIGBY. Mr. Speaker, could the gentleman tell me who the organizations are and all parties involved?

Mr. WARGO. I want to know where the CIO stands on this, the AFL. After all, this is a drastic change in our labor laws and I think that they are entitled to give me their stand on it. I would like to present that view to the Committee.

Mr. RIGBY. Mr. Speaker, I do not agree with the gentleman that there is a drastic change in the law. I would like to ask him this: Does he consider county operators, bus operators, utilities?

Mr. WARGO. Mr. Speaker, that is not for me to say.

Mr. RIGBY. Well, Mr. Speaker, in 1947 this House passed an Act including employees of gas, light and water companies, and I would think that buses and trolleys must certainly be utilities. They come under the jurisdiction of the Public Utility Commission. Can the gentleman tell me why they are not under this?

Mr. WARGO. Mr. Speaker, I would like to perhaps first put a question to the gentleman: Why did not they include them in 1947?

Mr. RIGBY. Mr. Speaker, I was not here and it is something I cannot understand. I do not know and I cannot understand how or why they were left out.

I can understand the gentleman is a little confused with his quarterbacks over there.

Mr. WARGO. Mr. Speaker, I would like to say to the gentleman that I am not playing power politics by just putting it in my pocket and killing it. I gave the gentleman my word it would get a fair shake before the full Committee. When I get all the information I am seeking, the Committee will take up the matter and then I shall report back to you. If they see fit to put it in a mausoleum committee, that is where it will go.

Mr. RIGBY. Well, if we are going to do anything this Session—and certainly this bill is no less important today than it was last week—and since we are afflicted, I might say, with a trolley strike about every three years, in order to save us from another disastrous strike three years hence, this bill should be acted upon now, immediately. I understand we hope to get out this week, and certainly after the first of the year we cannot consider this type of legislation.

Mr. WARGO. Mr. Speaker, I feel that so long as we are Members of this Legislature we shall always face a crisis, and I think that perhaps we are going out. But if I can mention the other branch, the other branch has been keeping us here longer than we should be by just not confirming a couple of men for the PUC, otherwise we would have been home. If that is not power politics, what is?

Mr. RIGBY. They have a working quorum over there; they have enough people to operate the PUC.

Mr. WARGO. They have it, sure, but it is not a full working force and I think that when a hassle of three men—

Mr. RIGBY. I believe three is quorum and they have that. Of course, that has nothing to do with this bill.

Mr. WARGO. I realize it does not.

Mr. RIGBY. Of course, Mr. Speaker, we have nothing to do with appointments to the PUC, and if they are playing around with those, I am not playing with them and neither is the gentleman from Lackawanna, Mr. Wargo.

The SPEAKER pro tempore. Has the gentleman concluded his interrogation?

Mr. RIGBY. No. I want to know when this is going to be given some consideration and I want to know when the CIO has become a member ex-officio of the Labor Relations Committee of this House.

Mr. WARGO. Mr. Speaker, I can tell the gentleman that we can meet tomorrow, we can meet Wednesday or Thursday. I will meet as soon as I get all of the information I am waiting for. I will not say the 4th of January; it will be before then.

Mr. RIGBY. Mr. Speaker, of course, this bill has been pending in Committee since March. It should have been considered before this because it is a vital piece of legislation, and I would implore you to do something about it because it is something that should have been passed. Why it was not put in in 1947 I do not know, but it passed with a big majority then, I can tell you that.

QUESTION OF PERSONAL PRIVILEGE

Mr. SCHAAF. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAAF. As I understand Rule 64 of this House, the questions of personal privilege shall be limited to questions affecting the rights and reputations of Members.

Mr. Speaker, I believe my reputation has been impugned, and I refer to a publication called the "PMA Legislative Bulletin" of December 11, 1959, on page 2 of which I am referred to as a "Republican from Erie."

It is precisely the last debate which prompts me to get up here and deny that I am a Republican, to deny that I ever have been a Republican, and to deny that I ever will be a Republican. I do not want the awesome responsibility, or be a part of the awesome responsibility which has kept us here for 12 months, which has played power politics, and which perhaps is going to deny Erie County a Pittsburgh-Erie freeway.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1977.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes imposing additional duties upon the Secretary of the Commonwealth various county boards of elections and election officers courts various registration commissions chairmen of political parties or committees and officers and employees certain political subdivisions further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel including their families in the event they are qualified electors further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nominations papers and providing penalties providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 1, by striking out after the letters "tions" the following: "tions" authorizing and providing procedures whereby certain qualified registered

electors absent from or unable to attend their regular polling places may cast their votes imposing additional duties upon the Secretary of the Commonwealth various county boards of elections and election officers courts various registration commissions chairmen of political parties or committees and officers and employees certain political subdivisions further regulating the procedures for the voting of qualified electors serving in the armed forces of the United States including their families or any qualified bedridden or hospitalized veterans by authorizing and providing procedures for the absentee voting by certain Federal personnel including their families in the event they are qualified electors further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nominations papers and providing penalties" and inserting in lieu thereof the following: "providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto"

Section 1, page 3, line 1, by striking out after the numeral "1" the words and letters "Clauses (w) and (x) of section" and inserting in lieu thereof the word and numerals "Section 102"; line 2, by striking out after the word "Code" the following: "clause (w) reenacted and amended March 6, 1951 (P. L. 3) and clause (x) added March 5, 1951, (P. L. 3) are amended to read" and inserting in lieu thereof the following: "is amended by adding at the end thereof a new subsection to read" page 3, by striking out after line 9, the following:

"(w) [The term "qualified elector in actual military service" shall mean a qualified elector of this Commonwealth who is or may be in the military or naval service of the United States or any branch or unit thereof and regardless of whether such person is registered or enrolled in accordance with law

"(x) The term "qualified bedridden or hospitalized veteran" shall mean any qualified elector of this Commonwealth who may be unavoidably absent from the State or county of his residence because of his being bedridden or hospitalized due to illness or physical disability contracted or suffered in connection with or as a direct result of his military service] The words "qualified absentee elector" shall mean

"(1) Any qualified elector who is or who may be in the military service of the United States regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled or

"(2) Any qualified elector who is a spouse or dependent residing with or accompanying a person in the military service of the United States regardless of whether if at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and absent from the state or county of his residence regardless of whether such spouse or dependent is registered and enrolled or

"(3) Any qualified elector who is or who may be in the service of the Merchant Marine of the United States regardless of whether if at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and absent from the state or county of his residence regardless of whether he is registered or enrolled or

"(4) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is in the service of the Merchant Marine of the United States regardless of whether if at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and absent from the state or county of his residence regardless of whether such spouse or dependent is registered or enrolled or

"(5) Any qualified elector who is or who may be in a religious or welfare group officially attached to and serving with the armed forces regardless of whether if at the time of voting he is present in the election district of his residence or is within or without this Common-

wealth and absent from the state or county of his residence regardless of whether he is registered or enrolled or

"(6) Any qualified elector who is a spouse or dependent residing with or accompanying a person in a religious or welfare group officially attached to and serving with the armed forces regardless of whether if at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and absent from the state or county of his residence regardless of whether such spouse or dependent is registered or enrolled or

"(7) Any qualified elector who is or who may be a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such elector is subject to civil laws and the Classifications Act of 1949 and whether or not paid from funds appropriated by the Congress regardless of whether if at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and absent from the state or county of his residence regardless of whether he is registered or enrolled or

"(8) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such person is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress and regardless of whether if at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and absent from the state or county of his residence regardless of whether such spouse or dependent is registered or enrolled or

"(9) Any qualified war veteran elector who is bed-ridden or hospitalized due to illness or physical disability if he is unavoidably absent from the Commonwealth or county of his residence and regardless of whether he is registered and enrolled or

"(10) Any qualified registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election or

"(11) Any qualified registered and enrolled elector who is unable to go to attend his polling place because of illness or physical disability.

"Provided however that the words "qualified absentee elector" shall in nowise be construed to include persons confined in any penal institution

"(x) The words "members of the Merchant Marine of the United States" mean persons (other than persons in military service) employed as officers or members of crews or vessels documented under the laws of the United States or of vessels owned by the United States or of vessels of foreign flag registry under charter to or control of the United States and persons (other than persons in military service) enrolled with the United States for employment or for training for employment or maintained by the United States for emergency relief service as officers or members of crews of any such vessels but does not include persons so employed or enrolled for such employment or for training for employment or maintained for such emergency relief on the Great Lakes or the inland waterways

and inserting in lieu thereof the following:

"(y) The term "absentee elector" shall mean any qualified elector of this Commonwealth properly registered and enrolled who (1) on the occurrence of any election is unavoidably absent from the county of his voting residence by reason of his duties business or occupation or who (2) on the occurrence of any election is unable to attend at his proper polling place by reason of illness or physical disability but shall not include a qualified elector in actual military service" or a "qualified bedridden or hospitalized veteran" as defined in this section or any person committed to and confined in a penal institution or a mental institution"

page 9, Section 2, line 6, by striking out after the numeral "2" the words and numerals "Section 102 of the" and inserting in lieu thereof the word "The"; line 7 by striking out from the beginning of the line the words and letter "clause (x) thereof four new clauses to read and inserting in lieu thereof the words and numerals as follows: "Article XIII-A. A new article to read"; and by striking out after line 8 the following:

"Section 102 Definitions The following words when used in this act shall have the following meanings unless otherwise clearly apparent from the context

"* * *

"(y) The word "dependent" means any person who is in fact a dependent

"(z) The words "person authorized to administer oaths" shall mean any person who is a commissioned officer in military service or any member of the Merchant Marine of the United States designated for this purpose by the United States Secretary of Commerce or any civilian official empowered by any State or Federal law to administer oaths

"(z.1) The words "in military service" shall mean the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat 804 U S Code Title 36 Par 231)

"(z.2) The words "unavoidably absent" shall mean absence in good faith by reason of duties occupation or business

and inserting in lieu thereof the following:

Article XIII-B

Absentee Voting

"Section 1301-b Absentee Electors Any absentee elector of this Commonwealth may vote under the provisions of this act in any election held in this Commonwealth An absentee elector may vote only for such offices and upon such questions as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner hereinafter provided

"Section 1302-b Form of Application Certificate and Declaration The county board of elections shall prepare and have printed a form all three parts of which shall be printed on one side of a sheet of paper not larger than eight and one-half inches by thirteen inches as follows

"Part 1 Application for absentee ballot (voter completes two copies of Part 1 and deliver both to the chief clerk county board of elections in your County)

"I declare that I reside at (post office address of applicant) in the (voting district or precinct) of the (city borough town or township) in county Commonwealth of Pennsylvania that I am a registered elector entitled to vote therein at the next election That I am registered as a (if primary election give party enrollment otherwise leave blank) and that I hereby apply for an official absentee ballot for the reason that (1) I expect to be unavoidably absent from said county on the day of such election because of duties occupation or business (2) I expect to be unable to attend my proper polling place on the day of such election because of illness or physical disability on the advice of my physician whose signature appears below (mark out the reason not applicable)

"..... (Signature of applicant)

"(Date of signature) (Signature of applicant)

"I declare that I have advised applicant as stated above send ballot to (fill in if applicant is in hospital or confined away from residence)

"..... (Signature of physician)

"(Required only if reason (2) is not marked out in application above)

"Part 2 Certificate of chief clerk of county board of elections

"I certify that I have compared the foregoing signature of applicant with the signature of that name in the permanent registration records that I am satisfied that applicant is entitled to vote as stated in the application above and have no reason to believe to the contrary that I have this day issued to applicant an official absentee

ballot envelopes and this certificate and that I have marked the district register accordingly as prescribed by law

"(Date of issue) Signature of Chief Clerk
County Board of Elections

"Part 3 Declaration of Elector (Voter complete this declaration after marking your ballot put your marked ballot in the small envelope seal the small envelope put the small envelope and this paper in the large envelope seal the large envelope and mail it

I declare that I am the applicant whose signature appears in Part 1 hereof that I and I alone have secretly marked the official absentee ballot issued to me and that I have not and will not cast any other ballot in the election to which said official absentee ballot pertains

"(Date of signature) (Signature of elector)

"Witness to elector's signature

"(Signature of witness)

"Section 1303-b Manner and time of applying for absentee ballot (a) except as hereinafter provided any elector desiring an official absentee ballot for the reason that he expects to be unavoidably absent from the county of his voting residence on the day of election because of duties occupation or business shall apply therefor in person to the chief clerk of the county board of elections and he shall then and there complete an original and a duplicate of Part I of the form prescribed by Section 1302-b and deliver both copies of the form to the chief clerk any application for an official absentee ballot assigning such reason and not delivered to the chief clerk as aforesaid shall be void

"(b) Any elector desiring an official absentee ballot for the reason that he expects to be unable to attend his proper polling place on the day of election because of illness or physical disability shall signify that desire to the chief clerk of the county board of elections in writing signed by the elector and delivered to the chief clerk by any means upon receipt of such writing the chief clerk shall mail to the elector at the address stated in such writing two copies of the form prescribed by Section 1302-b the elector shall complete an original and a duplicate of Part I of such form and deliver both copies of the form to the chief clerk by any means

"(c) Any elector desiring an official absentee ballot for the reason that he expects to be unavoidably absent from the county of his voting residence on the day of election because of duties occupation or business and who is or expects to be so unavoidably absent during the thirty days preceding the day of the election in which the ballot is cast shall signify that desire to the chief clerk of the county board of elections in writing signed by the elector and delivered to the chief clerk by any means upon receipt of such writing The chief Clerk shall mail to the elector at the address stated in the writing two copies of the form prescribed by Section 1302-B The elector shall complete an original and duplicate of Part I of such form and deliver both copies to the chief clerk by any means

"(d) Every application for an official absentee ballot comprising the original and duplicate completed Part 1 on the form aforesaid shall be delivered to the chief clerk no earlier than the thirtieth day and no later than the seventh day preceding the day of the election in which the ballot is to be cast all applications received at other times shall be void

"Section 1304-b Issuance of official absentee ballots envelopes and certificates upon delivery to him of an application for an official absentee ballot as prescribed by Section 1303-b The chief clerk of the county board of elections shall compare the signature and voting residence of the applicant upon such application with the signature and voting residence of applicant in the permanent registration records of the board of registration commissioners and if he is satisfied that applicant is entitled to vote as stated in the application and has no reason to believe to the contrary he shall enter in ink on the appropriate district register in the place

provided to signify the applicant's having voted at the election the letter "a" and he shall sign Part 2 on both the original and duplicate of the application and he shall hand or mail to the applicant the following

"(a) One official absentee ballot which shall be in the same form as regular and official ballots except that it shall be printed upon blue paper and shall have printed on the back thereof in addition to any other matter now required by law the words "official absentee ballot"

"(b) A gummed envelope approximating the size known commercially as number six and three-quarters with the words "official absentee ballot" printed upon it and nothing else such envelope is hereafter referred to as the first envelope

"(c) The original of the form prescribed by Section 1302-b Parts 1 and 2 of which shall have been completed as aforesaid

"(d) A gummed envelope approximating the size known commercially as number ten on which there shall be printed as addressee the name and post office address of the county board of elections and in the upper left corner the words "absentee elector" such envelope is hereafter referred to as the second envelope

"Section 1305-b Balloting and mailing the elector to whom an official absentee ballot shall have been issued may cast the ballot in the following manner and not otherwise

"(a) He shall in secret mark the ballot with pencil crayon indelible pencil or ink

"(b) He shall place the marked ballot in the first envelope described in subsection (b) of Section 1304-b and seal the envelope

"(c) He shall complete Part 3 of the form described in subsection (c) of Section 1304-b and have his signature witnessed by a subscribing witness as that part requires

"(d) He shall place both the form and the sealed first envelope containing the marked ballot in the second envelope described in Subscetion (d) of Section 1304-b

"(e) He shall seal the second envelope affix the necessary postage thereto except in cases where postage is not required and mail it in sufficient time that the day of the postmark thereon shall not be later than the day of the election in which the ballot is to be cast

"Section 1306-b Absentee voter's lists not less than five days preceding the election the chief clerk shall prepare from the duplicates of completed Parts 1 and 2 of the forms retained by him a list for each election district showing the names and post office addresses of all voting residents thereof to whom official absentee ballots shall have been issued each such list shall be prepared in duplicate shall be headed "persons in (give identity or election district) to whom absentee ballots have issued for the election of (date of election)" and shall be signed by him not less than four days preceding the election he shall post the original of each such list in a conspicuous place in the office of the county election board and see that it is kept so posted until the close of the polls on election day he shall cause the duplicate of each such list to be delivered to the judge of election in the election district in the same manner and at the same time as are provided in this act for the delivery of other election supplies and it shall be the duty of such judge of election to post such duplicate list in a conspicuous place within the polling place of his district and see that it is kept so posted throughout the time that the polls are open

"Section 1307-b Canvassing of ballot the county board of elections upon receipt of a sealed second envelope shall keep it safely and shall deliver it unopened to the return board when it convenes to canvass the vote according to law the return board shall reject and mark "rejected" without opening any such envelope bearing no postmark or bearing a postmark later than the day of the election after opening the remaining such envelopes it shall reject and mark "rejected" the contents of any such envelope if (a) it contains either more or less than the contents prescribed by subsection (d) of Section 1305-b or (b) The form referred to in subsection (c) of Section 1305-b shall not be complete and regular

on its face or (c) the signature of the applicant in part 1 of such form does not correspond with the signature of the elector in Part 3 thereof if the return board shall be satisfied that the contents meet the requirements prescribed therefor it shall announce the name of the voter of the absentee ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as the elector could have been challenged had he presented himself in his own district to cast his ballot if there are no challenges or if all challenges are unsuccessful the form and the first envelope bearing the printed words "official absentee ballot" shall be separated and such envelope together with all similar envelopes so separated shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom the return board shall then break the seals of such envelopes and record the ballots in the same manner as the election officer records votes and in so canvassing said votes the return board shall count the votes of all absentee electors taken as herein provided and add the same to the total result of the election in the county district precinct or ward accordingly as designated on each ballot

"Section 1308-b Ballots to be public records the ballots after being opened and duly counted by the return board together with completed forms received therewith are hereby designated and declared to be public records and shall be safely kept in the custody of the county board of elections for the period of two years and in case of a contested election the same may be opened and counted as in other cases

Section 3, page 24, by striking out after the numeral "3" the following: "Subsection (c) of section 305 of the act reenacted and amended to read"

and inserting in lieu thereof the following: "Article XVIII of the act is amended by adding after section 1852 a new section to read"

and by striking out after line 15 the following:

"Section 305. Expenses of County Boards and of Primaries and Elections to Be Paid by County Expenses of Special Elections Boards to be Provided with Offices."

* * *

"(e) The Commonwealth shall reimburse each city of the first class and county for election expenses incurred in and incidental to preparing handling mailing delivering counting and storing official [military] absentee ballots [and veteran's official ballots] requested by any elector in military service Federal employment overseas Merchant Marine and in any religious group of welfare agency assisting the Armed Forces including spouses and dependents and bedridden and hospitalized veterans as herein provided in the sum of forty cents (40c) for each such ballot mailed or delivered.

"Each county board of elections shall file in the Department of State not later than thirty days after every election on a form prescribed by the Department of State a statement of the number of ballots mailed or delivered in such manner as is now or may hereafter be provided by law to electors [in actual military service and to bedridden or hospitalized veterans.]

"The Department of State shall ascertain and fix the amount due as herein provided to each city of the first class and county for election expenses incurred and by requisition in the usual course shall provide for payment of such amounts so found from moneys appropriated to the Department of State for such purpose or shall prorate the moneys so appropriated among the several cities of the first class and counties to be reimbursed if the amount so appropriated shall not be sufficient for the payment in full to each city of the first class and county of the amount found to be due.

"Section 4. Section 904 of the act amended January 14, 1952 (P. L. 1937), is amended to read.

"Section 904. Municipal Clerks and Party Chairmen to Furnish Information as to Offices to Be Filled To assist the respective county boards in ascertaining the offices to be filled it shall be the duty of the clerks or secretaries of the various cities boroughs towns townships and school districts [and poor districts] with the advice of their

respective solicitors on or before the [twelfth] thirteenth Tuesday preceding the Municipal primary to send to the county boards of their respective counties a written notice setting forth all city borough town township and school district [and poor district] offices to be filled in their respective subdivisions at the ensuing municipal election and for which candidates are to be nominated at the ensuing primary It shall also be the duty of the chairman of the State committee of each political party to forward to the Secretary of the Commonwealth and to the respective county boards on or before the [twelfth] thirteenth Tuesday preceding the General primary a written notice setting forth the number of delegates and alternate delegates to the National convention of such party who are to be elected in the State at large at the ensuing primary and the number of such delegates and alternate delegates who are to be elected as said primary in such county or in any district within such county or of which it forms a part. The said notice shall also set forth the number of members of the National committee if any who under the National party rules are to be elected at the said primary in the State at large and the number of members of the State committee to be elected at the said primary in such county or in any district or part of a district within such county. It shall also be the duty of the chairman of the county committee and in cases where a city is coextensive with a county the chairman of the city committee of each party on or before the [twelfth] thirteenth Tuesday preceding the General primary to send to the county board of such county a written notice setting forth all party offices to be filled in the county at the ensuing primary.

"Section 5. Section 905 of the act amended March 6, 1951 (P. L. 3), is amended to read:

"Section 905. Secretary of the Commonwealth to Notify County Board of Certain Nominations to Be Made On or before the [twelfth] thirteenth Tuesday preceding each primary the Secretary of the Commonwealth shall send to the county board of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth including that of President of the United States and shall also in said notice set forth the number of presidential electors United States Senators Representatives in Congress and State officers including senators representatives and judges of courts and record to be elected at the succeeding November election by a vote of the electors of the State at large or by a vote of the electors of the county or of any district therein or of any district of which such county forms a part.

"Section 6. Section 906 of the act amended January 14, 1952 (P. L. 1937), is amended to read.

"Section 906. Publication of Notice of Officers to Be Nominated and Elected Beginning not earlier than [eleven] twelve weeks nor later than [ten] eleven weeks before any [regular] General or Municipal primary the county board of each county shall publish in newspapers as provided by section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternates delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part and also setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large. Said notice shall contain the date of the primary and shall be published once each week for two successive weeks in counties of the first and second class and once in all other counties.

"Section 7. Section 908 subsection (d) of section 913 and subsections (b) and (c) of section 953 of the act amended March 6, 1951 (P. L. 3), are amended to read.

"Section 908. Manner of Signing Nomination Petitions Time of Circulating Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he is a registered and enrolled member of the party designated in such petition. Provided however That where there are to be elected two or more persons to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election. He shall also declare therein that he is a qualified elector of the county therein named and in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large of the political district therein named in which the nomination to be made or the election is to be held. He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing expressed in words or numbers. Provided however That if the said political district named in the petition lies wholly within any city borough or township or is coextensive with same it shall not be necessary for any signer of a nomination petition to state therein the city borough or township of his residence. No nomination petition shall be circulated prior to [twenty (20) days before the last day of on which such petition may be filed] the thirteenth Tuesday before the primary and no signature shall be counted unless it bears a date [within twenty (20) days of the last day] [of filing the same] affixed not earlier than the thirteenth Tuesday nor later than the tenth Tuesday prior to the primary.

"Section 913. Place and Time of Filing Nomination Petitions Filing fees.

"(d) All nomination petitions shall be filed [at least sixty four (64) days] on or before the tenth Tuesday prior to the primary.

"Section 953. Place and Time of Filing Nomination Papers.

"(b) No nomination paper shall be circulated prior to [twenty (20) days before the last day on which such paper may be filed] the tenth Tuesday prior to the primary and no signature shall be counted unless it bears a date [within twenty (20) days of the last day of filing the same] affixed not earlier than the tenth Tuesday prior to the primary nor later than the seventh Tuesday prior to the primary.

"(c) All nomination papers must be filed [at least forty-four (44) days prior to the date of the primary election] on or before the seventh Tuesday prior to the primary.

"Section 8. Section 1007 of the act is amended to read.

"Section 1007. Number of Ballots to Be Printed Specimen Ballots. The county board of each county shall provide for each election district in which a primary is to be held one book of fifty official ballots of each party for every forty-five registered and enrolled voters of such party and fraction thereof appearing upon the district register and shall provide for each election district in which an election is to be held one book of fifty official ballots for every forty-five registered electors and fraction thereof appearing upon the district register. They [shall] may also in addition to the number of ballots required to be printed for general distribution have printed for each election district in which a primary is to be held not less than one book of fifty official ballots of each party for the use of the absentee electors and for each election district in which an election is to be held not less than one book of official ballots for the use of the absentee electors. They shall also in addition to the number of ballots required to be printed for general distribution have printed ten (10) per centum of such number to be known as reserve official ballots and on tinted paper two (2) per centum of such number to be known as reserve specimen ballots which ballots shall be kept at the office of the county board for the use of any district the ballots for which may be lost destroyed or stolen. They shall also cause to be printed on tinted paper and without the facsimile endorsements permanent binding or stubs copies of the form of ballots provided for each

voting place at each primary or election therein which shall be called specimen ballots and which shall be of the same size and form as the official ballots and at each election they shall deliver to the election officers in addition to the official ballots to be used at such election specimen ballots for the use of the electors equal in number to one-fifth of the number of official ballots delivered to such election officers. At each primary specimen ballots of each party shall be furnished equal in number to one-fifth of the number of official ballots of such party furnished to the election officers as above provided.

"Section 9. The article heading and sections 1301 and 1302 of the act added March 6, 1951 (P. L. 3) as amended to read.

Article XIII

Voting By [Persons In Actual Military Service] Qualified Absentee Electors

"Section 1301. [Qualified Electors in Actual Military Service. Any qualified elector in actual military service may vote under the provisions of this set in any election held in this Commonwealth regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled] Qualified Absentee Electors. The following persons shall be entitled to vote by an official absentee ballot in any primary or election held in this Commonwealth in the manner hereafter provided

"(a) Any qualified elector who is or who may be in the military service of the United States regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled or

"(b) Any qualified elector who is a spouse or dependent residing with or accompanying a person in the military service of the United States regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered and enrolled or

"(c) Any qualified elector who is or who may be in the service of the Merchant Marine of the United States regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled or

"(d) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is in the service of the Merchant Marine of the United States regardless of whether at the time of voting such spouse or dependent is present in the election district or residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered or enrolled or

"(e) Any qualified elector who is or may be in a religious or welfare group officially attached to and serving with the armed forces regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled or

"(f) Any qualified elector who is a spouse or dependent residing with or accompanying a person in a religious or welfare group officially attached to and serving with the armed forces regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered or enrolled or

"(g) Any qualified elector who is or who may be a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such elector is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress regardless of whether at the time of voting he is present in the election district of his residence or is within or without this Commonwealth and regardless of whether he is registered or enrolled or

"(h) Any qualified elector who is a spouse or dependent residing with or accompanying a person who is a civilian employe of the United States outside the territorial limits of the several states of the United States and the District of Columbia whether or not such person is subject to civil service laws and the Classification Act of 1949 and whether or not paid from funds appropriated by the Congress and regardless of whether at the time of voting such spouse or dependent is present in the election district of residence or is within or without this Commonwealth and regardless of whether such spouse or dependent is registered and enrolled or

"(i) Any qualified war veteran elector who is bedridden or hospitalized due to illness or physical disability if he is unavoidably absent from the Commonwealth or county of his residence and regardless of whether he is registered and enrolled or

"(j) Any qualified registered and enrolled elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence during the entire period the polls are open for voting on the day of any primary or election or

"(k) Any qualified registered and enrolled elector who is unable to go to his polling place because of illness or physical disability.

"Provided however That the words "qualified absentee elector" shall in nowise be construed to include persons confined in any penal institution.

"Section 1302. Applications for Official [Military] Absentee Ballots. (a) Any qualified elector [in actual military service] defined in preceding section 1301 subsections (a) to (h) inclusive may apply at any time before any primary or election for an official [military] absentee ballot on post card application or any other form supplied by the Federal Governmentor by post card letter or other writing addressed to the Secretary of the Commonwealth of Pennsylvania or the county board of election of the county in which his voting residence is located.

"(b) The application shall contain the following information [Residence] Home residence at the time of entrance into actual military service or Federal employment length of time a citizen length of residence in Pennsylvania date of birth length of time a resident of voting district voting district party choice in case of primary name and for a military elector his rank or grade military address branch of service and serial number. Any elector other than a military elector shall in addition specify the nature of his employment the address to which ballot is to be sent relationship where necessary and such other information as may be determined and prescribed by the Secretary of the Commonwealth. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of election.

"[(c) The application] of any qualified elector as defined in preceding section 1301 subsections (a) to (h) inclusive [for [a military] an official [absentee ballot in any] primary or [election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the [military] elector as required in the preceding subsection]

"(d) The various county boards of election upon receipt of any application shall ascertain from the information on such application district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled No application by any qualified elector in military service or in Federal service overseas shall be rejected for failure to include any information if such may be ascertained within a reasonable time by the county board of election.

"(c) Any qualified bedridden or hospitalized veteran unavoidably absent from the State or county of his residence regardless of whether he is registered or enrolled may apply at any time before primary or election for an official absentee ballot by post card letter or other writing addressed to the Secretary of the Commonwealth of Pennsylvania or the county board of elections of the county in which his voting residence is located.

"The application shall contain the following information Residence at the time of becoming bedridden or hospital-

ized length of time a citizen length of residence in Pennsylvania date of birth length of time a resident in voting district party choice in case of primary name and address of present residence or hospital at which hospitalized. When such application is received by the Secretary of the Commonwealth it shall be forwarded to the proper county board of elections.

The application for an official absentee ballot for any primary or election may be made or information supplied over the signature of any person who is familiar with the voting qualifications of the bedridden or hospitalized veteran as required in the preceding subsection.

"The various county boards of election upon receipt of application shall ascertain from the information on such application district register or from any other source that such applicant possessed all the qualifications of a qualified elector other than being registered or enrolled

"(f) Any qualified registered elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence on the day of any primary or election and any qualified registered elector who is unable to go to his polling place on the day of any primary or election because of illness or physical disability and any qualified registered bedridden or hospitalized veteran in the county of residence may apply to the Secretary of the Commonwealth of Pennsylvania or the county board of elections of the county in which his voting residence is located for an "Official Absentee Ballot" Such application or request may be made upon an application form supplied by the county board of elections Such application form shall be determined and prescribed by the Secretary of the Commonwealth of Pennsylvania

"(1) The application of any qualified registered elector who expects to be or is unavoidably absent from the Commonwealth or county of his residence on the day of any primary or election shall be signed by the applicant and shall include the surname and Christian name or names of the applicant his occupation date of birth length of time a resident in voting district place of residence post office address to which ballot is to be mailed the reason for his absence and such other information as shall make clear to the county board of elections the applicant's right to an official absentee ballot

"(2) The applicant of any qualified registered elector who is unable to go to his polling place on the day of any primary or election because of illness or physical disability and the application of any qualified registered bedridden or hospitalized veteran in the county of residence shall be signed by the applicant and shall include surname and Christian name or names of the applicant his occupation date of birth residence at the time of becoming bedridden or hospitalized length of time a resident in voting district place of residence post office address to which ballot is to be mailed and such other information as shall make clear to the county board of elections the applicant's right to an official ballot In addition such electors shall attach to their application a declaration stating the nature of their disability or illness and the name of their attending physician if any together with a supporting declaration signed by such attending physician or if none by a registered elector unrelated by blood or marriage of the election district of the residence of the applicant Provided however That such supporting declaration need not be furnished by any elector who is undergoing hospitalization

"Section 10 The act is amended by adding after section 1302 three new sections to read:

"Section 1302.1 Date of Application for Absentee Ballots Applications for absentee ballots unless otherwise specified shall be made not earlier than fifty (50) days before any primary or election and not later than five o'clock p m the Tuesday before on the day of any primary or election Provided however That the duties of the county boards of elections and the registration commissions with respect to the removal of the district registration cards of any elector as set forth in section 1305 shall include only such applications as are received on or before the first Tuesday prior to any primary or election In all cases where applications are received after the first Tuesday prior to any primary or election and before five o'clock p m on the day of any primary or election the board of

elections shall upon canvassing the official absentee ballots under section 1308 examine the voting check list of the election district of said elector's residence and satisfy itself that such elector did not cast any ballot other than the one properly issued to him under his absentee ballot application. In all cases where the examination of the county board of elections discloses that an elector did vote a ballot other than the one properly issued to him under the absentee ballot application the county boards of electors shall thereupon cancel said absentee ballot and said elector shall be subject to the penalties as hereinafter set forth.

Section 1302.2 Lists of Absentee Electors In addition to the procedure outlined above the county boards of elections shall post in a conspicuous public place at its office a complete master list arranged by election district of all electors who have been issued absentee ballots setting forth the name residence and local voting district or ward of every qualified but nonregistered elector to whom an absentee ballot has been sent every qualified but nonregistered elector who is bedridden or hospitalized veteran outside the county of residence to whom an absentee ballot has been sent and every registered elector to whom an absentee ballot has been sent pursuant to such application made after the first Tuesday prior to any primary or election and before five o'clock p m on the day of any primary or election such list shall also set forth the reason why each such person is voting by absentee ballot. In arranging such master list the county boards of elections shall also identify qualified but nonregistered electors by prefixing the letter "n" at the left of the name of each such elector and the letter "e" at the left of the name of each registered emergency absentee voter. This list shall be known as the "nonregistered and emergency absentee voters file" and shall be posted not later than eight o'clock p m sent to each polling place at the time ballots are distributed by the county board of elections and be posted in a conspicuous place at each such polling place throughout the time the polls are open on the day of any the primary or election. The list shall not contain the military address or military organization of any military elector. Copies of such nonregistered and emergency absentee voters files shall be furnished upon request to the county chairman of each political party and political body and shall also be furnished to registration commissions.

"Section 1302.3 Public Inspection of Applications and Special Absentee Registration File It is the intention of this section together with sections 1305 and 1307 that all applications and the special absentee registration file as provided in section 1305 be open to public inspection and that only those electors whose names appear on the "non-registered and emergency absentee voters file" and those registered electors whose names are contained in the special absentee registration file represent fully and completely each and every elector who has availed himself of the absentee voting privilege for such primary or election.

"Section 11 Sections 1303 1304 1305 1306 1307 1308 and 1309 of the act amended March 6 1951 (P L 3) are amended to read

"Section 1303 Official [Military] Absentee Voters Ballots (a) [Ballots] In districts in which ballots are used the ballots for use by such [military] absentee electors under the provisions of this act shall be [prepared sufficiently in advance by the county boards of election and] the official ballots printed in accordance with sections 1002 and 1003. Provided however That the county boards of elections when detaching the official ballots for absentee electors shall be required to indicate on the stub of each ballot so detached the name of the applicant to which that precise ballot is being sent. The county boards of election shall also be required to remove the numbered stub from each such ballot and shall thereupon print stamp or endorse upon such official ballots the words "Official Absentee Ballot". Such ballots shall be distributed by such boards as hereinafter provided. [Such ballots shall be marked "Official Military Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act which form

shall be determined and prescribed by the Secretary of the Commonwealth]

"(b) In districts in which voting machines are used and in those districts in which paper ballots are used and the county boards of election therein do not print official absentee ballots in accordance with sections 1002 and 1003 the ballots for use by such absentee electors under the provisions of this act shall be prepared sufficiently in advance by the county boards of elections and shall be distributed by such boards as hereinafter provided. Such ballots shall be marked "Official Absentee Ballot" but shall not be numbered and shall otherwise be in substantially the form for ballots required by article ten of this act which form shall be determined and prescribed by the Secretary of the Commonwealth.

"In cases where there is not time in the opinion of the county boards of election to print on said ballots the names of the various candidates for district county and local offices shall contain blank spaces only under the titles of such offices in which electors may insert the names of the candidates for whom they desire to vote and in such cases the county boards of election shall furnish to electors lists containing the names of all the candidates who have been regularly nominated under the provisions of this act for the use of such electors in preparing their ballots.

"Section 1304 Envelopes for Official [Military] Absentee Ballots The county boards of election shall provide two additional envelopes for each official [military] absentee ballot of such size and shape as shall be prescribed by the Secretary of the Commonwealth in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed stamped or endorsed the words "Official [Military] Absentee Ballot" and nothing else. On the larger of the two envelopes to be enclosed within the mailing envelope shall be printed the [affidavit] form of the declaration of the elector [together with the jurat of the person in whose presence the ballot is marked and before whom the affidavit is made] and the name and address of the county board of election of the proper county. Said [affidavit jurat] form of declaration and envelope shall be [in the form] as prescribed by the Secretary of the Commonwealth and shall contain among other things a statement of the elector's qualifications together with a statement that such elector has not already voted in such primary or election. The mailing envelope addressed to the elector shall contain the two envelopes the official [military] absentee ballot lists of candidates when authorized by Section 1303 subsection (b) of this act the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else. Provided however That envelopes for electors qualified under preceding section 1301 subsections (a) to (h) inclusive shall have printed across the face of each envelope in which a ballot is sent two parallel horizontal red bars each one-quarter inch wide extending from one side of the envelope to the other side with an intervening space of one-quarter inch the top bar to be one and one-quarter inches from the top of the envelope and with the words "Official Election Balloting Material via Air Mail" between the bars that there be printed in the upper right corner of each such envelope in a box the words "Free of U S Postage Including Air Mail" that all printing on the face of each such envelope be in red and that there be printed in red in the upper left corner of ballot envelope the name and address of the county board of elections of the proper county.

"Section 1305 Duties of County Boards (a) The county boards of election upon receipt of any application filed by any elector in accordance with the provisions of section 1302 subsections (a) and (c) shall [at least twenty-five days prior to the election] as soon as possible after the respective district ballots are printed and in no event later than the second Tuesday prior to the day of the primary or election commence to mail official [military] absentee ballots to all electors whose names and addresses have been ascertained as additional names and addresses of such electors are ascertained the board shall mail official [military] absentee ballots to such additional elec-

tors within forty-eight hours after ascertaining their names and addresses

"(b) [Each county board of election shall post in a conspicuous public place at its office a master list arranged alphabetically by election districts setting forth the name residence and local district or ward of every elector to whom an official military ballot has been sent This posted list shall not contain the elector's military address or military organization This list shall be known as the 'Military File' and shall be posted at least five days before the election day involved and shall also set forth the total number of such ballots prepared for use in such election Copies of such military files shall be furnished upon request to the county chairman of each political party and political body and shall also be furnished to registration commissions] The county board of elections upon receipt of any application filed by any registered qualified elector in accordance with section 1302.1 shall determine the qualification of such applicant by comparing the information set forth on such application with the information contained on the applicant's permanent registration card If the board is satisfied that the applicant is qualified to receive an official absentee ballot the application shall be marked 'Approved' When so approved the applicant's permanent registration card shall be removed from the district register and inserted in a special absentee registration file Commencing on the second Tuesday prior to the day of the primary or election the county board shall mail or deliver personally to all approved applicants an official absentee ballot or ballots and all material in accordance with the provisions of section 1303 as additional names and addresses of electors are ascertained the board shall deliver or mail official absentee ballots to such additional electors within forty-eight hours after ascertaining their names addresses and qualifications

"In the event that an application is not approved by the county board the elector shall be notified sent a notice immediately to that effect with a statement by the county board of the reasons of the disapproval

"Section 1306 Voting by Absentee Electors [in Actual Military Service] (a) At any time after receiving an official [military] absentee ballot but on or before the day of the primary or election the elector [for the purpose of voting may appear before any person of this or any other state or territory of the United States authorized to administer oaths by Federal State or military laws The elector shall first display the ballot to such person as evidence that the same is unmarked and then] shall in secret proceed to mark the ballot [with] in black lead pencil [crayon] indelible pencil or [ink in the presence of such person but in such manner that the person administering the oath is unable to see how the same is marked] blue black or blue black ink in fountain pen or ball point pen and then fold the ballot enclose and securely seal the same in the envelope on which is printed stamped or endorsed "Official [Military] Absentee Ballot" This envelope shall then be placed in the second one on which is printed the [affidavit] form of declaration of the elector [the jurat of the person before whom the elector appears] and the address of the elector's county board of election The elector shall then fill out [subscribe] date and [swear to] sign the [affidavit] declaration printed on such envelope [and the jurat shall be subscribed and dated by the person before whom the affidavit was taken] Such envelope shall then be securely sealed and the elector shall send same by mail postage prepaid except where franked or deliver it in person or by representative to said county board of election

"(b) In the event that any such elector excepting an elector in military service or any elector unable to go to his polling place because of illness or physical disability entitled to vote an official absentee ballot shall be in the county of his residence on the day for holding the primary or election for which the ballot was issued or in the event any such elector shall have recovered from his illness or physical disability sufficiently to permit him to present himself at the proper polling place for the purpose of casting his ballot such absentee ballot cast by such elector shall upon challenge properly sustained be declared void

"However any such elector referred to in this subsec-

tion who is within the county of his residence shall be permitted to vote upon presenting himself at his regular polling place in the same manner as he could have voted had he not received an absentee ballot Provided That such elector has first presented himself before the court of common pleas of his county between the hours of seven o'clock A M and five o'clock P M on the day of any primary or election and has procured an "Emergency Voting Form" signed by the court which form entitled the elector to vote at his regular polling place upon the signing of a voter's certificate Provided however That the court may require the surrender of said elector's absentee ballot where he has not already voted which shall thereupon be marked "cancelled" by said court and transmitted to the county board of elections In the event such elector has already voted then the court shall direct the county board of elections to set such ballot aside unopened

"Section 1307 [Military] Certain Electors Voting in Districts of Residence (a) Whenever an [qualified] elector [in actual military service] qualified in accordance with the provisions of section 1302 subsections (a) and (e) is present in his voting district of residence on any primary municipal or general election day and has not already voted in such election he may apply to his district election board for an official ballot and vote it in such election

"(b) Each such application shall be in the form and shall contain the information required by this act together with a statement by the applicant that he has not already voted in the election All such applications shall be transmitted to the county board of election immediately upon the closing of the polls

"(c) Upon receiving an official ballot and envelopes therefor he shall in secret in the polling place vote the ballot and [prepare it for execution of the affidavit and jurat] execute the declaration as prescribed by this act [The affidavit shall be executed before the judge or either inspector of election and the jurat subscribed by the person before whom the affidavit is taken] The [military] elector shall then securely seal the second envelope and hand it to the judge of election The judge of election shall place all such envelopes in a container marked "Official [military] Absentee Ballots" which shall be sealed immediately upon the closing of the polls and transmitted to the county board of election

"(d) Each district election board shall prepare a separate list of the names of all such voters which shall be attached to the lists of voters required by the act to which this is an amendment

"(e) Each county board of election shall prepare and deliver to each district election board on such election days an adequate supply of official ballots envelopes and other supplies as required by this act

"(f) Each county board of election before the day fixed by this act for the canvassing of official ballots shall post attached to the "[Military] Nonregistered and Emergency Absentee Voters File" an alphabetically arranged list setting forth the name residence the local voting district and ward of every military elector voting under the provisions of this section This list shall not contain the elector's military address or military organization Copies of such list may be furnished as in the case of copies of the [military] "nonregistered and emergency absentee voters file"

"Section 1308 Canvassing of Official [Military] Absentee Ballots (a) The county boards of election upon receipt of official [military] absentee ballots in such envelopes shall safely keep the same until they meet to canvass official [military] absentee ballots which canvass shall begin immediately following the official civilian canvass for [all] the primary [election After the November election the canvass of official military ballots shall begin at ten o'clock A M Eastern Standard Time on the second Friday following the election] or November election or the second Friday following the primary or November election whichever date is later Said canvass to commence at ten o'clock A M Eastern Standard Time No such ballots shall be counted which are received in their offices later than ten o'clock A M Eastern Standard Time of the second Friday following the primary election or the November election At such time the members of the return boards or the county boards of election shall in person dispose

of official [military] absentee ballots in the manner hereinafter set forth. The county boards of election may designate a sufficient number of clerks to perform such duties. When it is determined that clerks shall be appointed the total number shall in every case be in multiples of three and each member of a county board of election shall appoint an equal number thereof.

"(b) Each candidate for nomination or election shall be entitled to appoint one watcher and each political party or body which has nominated candidates shall be entitled to appoint three watchers. Watchers shall be permitted to be present when the envelopes containing official [military] absentee ballots are opened and when such ballots are counted and recorded.

"(c) In disposing of an official [military] absentee ballot the county return board or the county board of election shall examine the [affidavit and jurat] declaration and if the [jurat] same bears a date later than the date of the [the] such primary or election the envelope shall be set aside unopened.

"(d) Whenever it shall appear by due proof that any absentee elector who has returned his ballot in accordance with the provisions of this act has died prior to the opening of the polls on the day of the primary or election the ballot of such deceased elector shall be rejected by the canvassers but the counting of the ballot of an elector thus deceased shall not of itself invalidate any nomination or election.

"(e) The board shall then further examine the [affidavit and jurat of] declaration on each envelope not so set aside and shall compare the information thereon with that contained in the [military] special absentee registration file and the nonregistered and emergency absentee voters file. If the board is satisfied that the [affidavit and jurat are] declaration is sufficient and that the elector has qualified and the board has utilized the information contained in the [military] nonregistered and emergency absentee voters file and the special absentee registration file to verify his right to vote the board shall announce the name of the elector and shall give any person present an opportunity to challenge in like manner and for the same cause except the failure of qualified electors set forth in preceding section 1301 subsections (a) to (i) inclusive to register or enroll as the elector could have been challenged had he presented himself in his own district to vote other than by official [military] absentee ballot. If no challenges are sustained the board shall open the envelope in such manner as not to destroy the [affidavit and jurat printed] declaration executed thereon. All envelopes on which are printed stamped or endorsed the words "Official [Military] Absentee Ballot" shall be placed in one or more depositories at one time and said depository or depositories well shaken and the envelopes mixed before any envelope is taken therefrom. The board shall then break the seals of such envelopes, remove the ballots and record the votes in the same manner as district election officers are required to record votes. Upon completion of the computation of the returns of the county the votes cast upon the official [military] absentee ballots shall be added to the other votes cast within the county.

"Section 1309 Public Records. All official [military] absentee ballots [military] files applications for such ballots and envelopes on which the [jurate and affidavits] executed declarations appear and all information and lists are hereby designated and declared to be public records and shall be safely kept for a period of two years except that no information concerning a military elector shall be made public which is expressly forbidden by the War Department because of military security.

"Section 12 The act is amended by adding after section 1309 a new section to read:

"Section 1310 Penalties. Any person voting an official absentee ballot who wilfully falsifies the declaration or who votes any ballot other than the one properly issued to him except as provided in section 1306 subsection (b) or who votes or attempts to vote more than once at any primary or election is guilty of a misdemeanor and

upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars (\$1000) or imprisonment for a term not to exceed two years or both and inserting in lieu thereof the following:

"Section 1853 Violations of provisions relating to absentee electors' ballots if any person shall sign an application for absentee ballot or declaration of elector on the form prescribed by Section 1302-b knowing any matter declared therein to be false or shall vote any ballot other than one properly issued to him or vote or attempt to vote more than once in any election for which an absentee ballot shall have been issued to him or shall violate any other provisions of Article XIII-B of this act he shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or be imprisoned for a term not exceeding two years one year or both at the discretion of the court.

If any chief clerk or member of a board of elections member of a return board or member of a board of registration commissioners shall neglect or refuse to perform any of the duties prescribed by Article XIII-B of this act or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of Article XIII-B of this act or shall count an absentee ballot knowing the same to be contrary to Article XIII-B or shall reject an absentee ballot without reason to believe that the same is contrary to Article XIII-B or shall permit an elector to cast his ballot at a polling place knowing that there has been issued to the elector an absentee ballot he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1000) or be imprisoned for a term of one year or both at the discretion of the court.

page 62, by striking out all of lines 17 and 18 as follows:

"Section 13 Article XIII-A of the act and its amendments are repealed"

page 63, page 1, by striking out at the beginning of the line the words "All other" and inserting in lieu thereof the words and figure "Section 4 All"; line 3, by striking out after the word "Section" the numerals "14" and inserting in lieu thereof the numeral "5"; line 6, by striking out after the word "Section" the numerals "15" and inserting in lieu thereof the numeral "6".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. A. W. JOHNSON. Do I understand that we are determining whether we will concur in amendments inserted by the Senate to the absentee voting bill? That is the bill, is it not?

The SPEAKER pro tempore. That is correct.

Mr. A. W. JOHNSON. And I believe the Majority Leader is making a motion that we nonconcur?

The SPEAKER pro tempore. The motion has not yet been made, but I believe it is his intention to do so.

Mr. A. W. JOHNSON. Mr. Speaker, just to save time, while I am at the microphone, if the motion is made by the Majority Leader to nonconcur, I am asking the Members on this side of the House to vote "No" on the motion. I believe the consensus of opinion on this side is that we like the amendments inserted by the Senate in the bill.

Mr. McCANN. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, the amendments placed in this bill by the Senate, which is really the Absentee Election law, first written by the Director of Elections of Allegheny County and Mr. Eberman of the election bureau of the state here, was a model piece of legislation when it left the House.

With the Senate amendments just think what can happen if this was law. You are going to give a right to the man to vote, but you are not going to give a right to his wife to vote who is there with him on the project or job out of the state. In other words, it is our opinion that this legislation on absentee voting has certainly not been clearly thought out or considered in the amendments placed in this bill. We feel that there is no difference between the man who has to go to another state in his work and his wife who accompanies him, that they would both be given the right of absentee voting privileges. But you read the bill as it is amended, the Senate says that the man would be entitled to vote, but the wife would only be entitled to vote if she was registered back home. There is only one conclusion we can come to, that the Republican Senate does not care for the female vote in the Commonwealth of Pennsylvania, and we as Democrats want all of them. I ask that you non concur in the amendments.

Mr. A. W. JOHNSON. Mr. Speaker, I could be wrong and maybe I am misinformed as to the Senate version of this bill.

Under the present absentee voting law, a veteran, as I understand it, a member of the armed services on active duty, does not have to be a registered voter. He can get a ballot and vote. If he is not on active duty, say he is in this country in the hospital or something like that, he has to be a registered voter. The wife of a veteran on active duty today, under present law, would have to be registered to vote. As I understand this bill, the Senate version does not change the principle that a veteran would not have to be registered. His wife would still have to be registered. The Senate version goes on to say that anybody who is out of Pennsylvania, if he be a man who has gone away to work in Colorado and cannot be here on election day, still would not be allowed to vote, and the husband would not be allowed to vote unless he was registered under the Senate version. If his wife was registered to vote, she could vote. Then if one of his dependents was registered, they could vote by absentee ballot. But I may be wrong. I wish you would point out in the bill where we are denying the right of a woman to vote under this bill under the Senate version?

Mr. McCANN. Mr. Speaker, may I interrogate the gentleman from McKean, Mr. Johnson?

The SPEAKER pro tempore. Will the Minority Leader permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. First, we will clear some points, Mr. Speaker. As to the present changes that have taken place regarding veterans.

Do we both agree that a veteran on active duty in the armed forces of the United States is permitted an absentee ballot now whether he is registered or not is immaterial?

Mr. A. W. JOHNSON. That is right.

Mr. McCANN. That is correct. Shall we go to the next step? Is an ex-veteran, one who has been discharged from service and is in a hospital, a veterans' administration hospital, permitted now to receive a ballot while a patient in the hospital whether he is registered or not?

Mr. A. W. JOHNSON. My understanding is that he, not being on active duty, would have to be registered under present law. That is what I understand and what I

understood in our meeting this morning. We could be wrong, if you have some other advice on it.

Mr. McCANN. Mr. Speaker, I want the gentleman to check that carefully.

The last change to the Constitution that we voted on in this field, dealt with the people who are in their own county in a hospital. Do you recall that? We had this problem, if you recall, where veterans in the hospital in Allegheny County, whose home was Allegheny County, could not get a ballot, but veterans from other counties than Allegheny County were entitled to a ballot because they were in a hospital away from home? Do you recall our correction to that?

Mr. A. W. JOHNSON. That sounds correct.

Mr. McCANN. That is right. We corrected that. Now, then, Mr. Johnson, if we corrected this so that the veteran on active duty could get a ballot whether he is registered or not, the man who is ill in the hospital whether he is in his home county or not could get a ballot.

We are going to the absentee ballot field, and what was the bill when it left the House as far as providing absentee ballots in the same field? Did not the House bill provide that the husband and wife, if they were employed in another state or outside of their area, could secure an absentee ballot and vote, both in primary, general and special elections if they so desired when the legislation left the House?

Mr. A. W. JOHNSON. That is right. They did not have to be registered.

Mr. McCANN. They did not have to be registered to be eligible to vote and to request an absentee ballot, is that right?

Mr. A. W. JOHNSON. The bill when it left the House said that members of the armed forces, their spouses and dependents would be allowed to vote without registering.

Mr. McCANN. That is correct. In other words, when we voted for House bill, were we not doing two things? We now provide a ballot for the man, for the person on active duty. Of course, we do provide if the lady is in service that she get a ballot just the same. A member of the WAC is entitled to an absentee ballot just the same as a man is in service. Do you agree to that?

Mr. A. W. JOHNSON. That is right. Women in the armed services in active duty are entitled to a ballot.

Mr. McCANN. That is correct. In the bill when it left the House we were going to do certain things, and what were those things? The wife who accompanies the service man would be entitled to vote. That was in the bill.

Mr. A. W. JOHNSON. Without being registered?

Mr. McCANN. Correct, because the husband does not have to be registered since he is on active duty.

Mr. A. W. JOHNSON. Then the dependents would not have to be registered?

Mr. McCANN. That is right. Let us go to the next step of the House bill. We were trying to take care of the service man's wife, or if this would be so, we would be taking care of the service woman's husband who might accompany her on active duty. I am sure this could happen, and we were taking care of those people. In that absentee ballot we were now taking the same situation as to the man who had to go outside of Pennsylvania to work. We will say I had to go to Chicago, and my wife accompanied me. When the bill left the House were we not both, husband and wife, entitled to secure absentee ballots?

Mr. A. W. JOHNSON. That is right. When the bill left the House there was no differentiation between the man and his wife. They did not have to be registered. They could both vote and their dependents. That is right.

Mr. McCANN. Now then, if we have all agreed that this is what we voted for when this bill left the House, were we not voting to provide absentee ballots for females who accompanied their husbands without being registered and we favored them securing this ballot? Did not the Senate take that out and therefore their position would be that they opposed granting the ballot to the wife?

Mr. A. W. JOHNSON. That is right.

Mr. McCANN. In other words, you agree with me that the Senate is removing the right of the woman to vote who has to accompany her husband, and they do not worry about these people who have to work and be with their husbands and should be given the right to vote.

Mr. A. W. JOHNSON. This bill as it left the House did not differentiate between wives of veterans and nonveterans. If you were out of town and you could not vote you did not have to be registered, nor your dependents, as I recall the bill.

Mr. McCANN. I am bringing this point up and you have agreed with me, and you and I voted and knew what we were voting for clearly when the bill left the House. If you will look at the previous print, before the Senate put in these amendments in which we are nonconcurring because we, as Democrats, and I am sure you, as Republicans, do not agree that these women should be denied the right to secure a ballot. Do you not agree to that statement?

Mr. A. W. JOHNSON. Mr. Speaker, the reason for our wanting to concur in the bill is, there has been quite a lot of study and thought given to the various possibilities that could occur as a result of the bill as it left the House. There was a feeling that it would open the door to many, many voting frauds and that the requirement of registration to vote should be written into the bill.

Mr. McCANN. Could you tell the House . . .

Mr. A. W. JOHNSON. The conflict is within the non-veterans field, really.

Mr. McCANN. The conflict, we agree, is in the non-veteran field, but could you tell us your position of when you say you want to concur in Senate amendments and we favor nonconcurring and to go to conference committee? Can you tell us, basically, the position of your Party regarding this field? Can you outline it carefully for us before we go to conference?

Mr. A. W. JOHNSON. We feel this new group that you are extending the vote to should be required to be registered voters of Pennsylvania in order to get a ballot and in order to close the door on possible fraud. When you bring in the question of dependents and all this and that, and they do not have to be registered there is a feeling that it is going too far. This is a result of studies made of the bill since it left the House.

Mr. McCANN. When the gentleman says, we favor the registration, does the gentleman mean both the husband and the wife who accompanies him, both should be registered before being eligible for absentee ballots? Or, just one.

Mr. A. W. JOHNSON. That is right. That is in the non-veteran field.

Mr. McCANN. That is right.

Mr. A. W. JOHNSON. So far as the veteran is concerned, the law is not being changed. If he is on active duty, and so forth, he does not have to be registered. But his wife would still have to be registered under this Senate version.

Mr. McCANN. Mr. Speaker, does the gentleman favor that the wives of the servicemen—because in the House bill they were eligible for an absentee ballot would have to register before they are eligible for a ballot, even though the husband who is on active duty does not have to register to get an absentee ballot?

Mr. A. W. JOHNSON. That is the import of the Senate amendments and we are backing them at this time.

Mr. McCANN. The gentleman favors that position, then, that the wife should be registered?

Mr. A. W. JOHNSON. That is right.

Mr. McCANN. I thank you very kindly.

Mr. Speaker, I ask that the House do non-concur in these amendments to back our position of supporting the position as the bill passed this House originally to give these people an opportunity to secure a vote.

Mr. HOLLIDAY. Mr. Speaker, may I interrogate the Majority Leader?

The SPEAKER pro tempore. Will the Majority Leader consent to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. HOLLIDAY. Mr. Speaker, I think, as the Minority Leader expressed it, it is not argument so much between the rights of the veterans.

I would like to ask the Majority Leader this: The Majority Leader said if he and his wife went to Chicago and were not able to be home for voting, they should be permitted to have an absentee ballot whether they were registered or not.

Mr. Speaker, is the gentleman recommending regarding unregistered voters that the gate be open and permit them to vote?

Mr. McCANN. No, I am not saying "unregistered voters." We are talking about absentee ballots, section by by section. If there is any section you want to name, I will tell you whether I favor what was the House version, permitting the lady or the wife to vote. If you will clear your question, I will answer it clearly. Are you talking about the wife of a serviceman?

Mr. HOLLIDAY. I am talking about, as the gentleman said, yourself and wife were unable to be home to vote; you are not registered but you are unable to be there and you are in Chicago. Now, do you feel that you should be given the right to have an absentee ballot, not being registered.

Mr. McCANN. Should I, the male?

Mr. HOLLIDAY. The wife too. Either one of you.

Mr. McCANN. The answer is yes, myself and my wife, who is accompanying me because as it left the House the bill covered both. The bill, as it comes back, excludes the wife unless she is registered.

Mr. HOLLIDAY. As a civilian I am talking about?

Mr. McCANN. That is what I am talking about, a civilian.

Mr. HOLLIDAY. Then you are opening the gates wide so that any civilian, whether he is registered or not, can go out of his county or out of his town and apply

for an absentee ballot. And you have no control at all. Who becomes a qualified elector then?

Mr. McCANN. In compliance with the law, the election board of the respective county or city, if you read more carefully, makes the decision now both on service people and people who are civilians and places them in the same category.

Mr. HOLLIDAY. That is true.

Mr. McCANN. That is right; it is in the law.

Mr. HOLLIDAY. An unregistered voter at the present time cannot apply for an absentee ballot unless he is in the armed services.

Mr. McCANN. That is correct. If this were law, an unregistered voter, as it passed the House—and I assume you voted for it—favored the granting of the ballot to that man and to his wife.

Mr. HOLLIDAY. Why should anybody register then?

Mr. McCANN. All of us should register.

Mr. HOLLIDAY. Well then you are giving a special privilege to a person who is not registered.

Mr. McCANN. Because he is away working and could not.

Mr. HOLLIDAY. Well, could he not have registered when he was at home?

Mr. McCANN. Very true, sir. Could the serviceman and his wife do the same? The answer is they may not be there and could not register during the period when registrations are open.

Mr. HOLLIDAY. I think, Mr. Speaker, the reason for putting in an absentee ballot referendum was to let people who are registered, but are unable to be home on election day, notify the election board beforehand that they are going to be out of town, will not be there to vote, and get an absentee ballot. I do not think it was brought forth to let anybody, a civilian, vote whether he is registered or not. I think your law reads "a qualified elector."

Mr. McCANN. The House bill said "a qualified elector."

Mr. HOLLIDAY. I think the Senate bill says the same thing.

Mr. McCANN. What is a qualified elector, sir?

Mr. HOLLIDAY. A registered voter, I always say. Somebody who is registered.

Mr. McCANN. That is right. And the amendment that the people voted on to the Constitution clearly set those changes that the people approved. The veteran does not have to be registered.

Mr. HOLLIDAY. That is right.

Mr. McCANN. We favor that his wife does not have to be registered who is accompanying him, period. Your position is that you should have her registered to get a vote. Then when we go to the civilian field your position is—

Mr. HOLLIDAY. Yes Mr. Speaker, I agree that she should be registered because oftentimes the wife does not accompany the soldier on all of his trips. She is not with him all the time on duty.

Mr. McCANN. I am not arguing that she is, but let use take the case where she is.

Mr. HOLLIDAY. All right.

Mr. McCANN. What do you do then, refuse her a right to exercise her franchise even though her husband is granted that right?

Mr. HOLLIDAY. Her husband is serving in the armed forces.

Mr. McCANN. And is it not, wherever possible, right for the wife to accompany her spouse?

Mr. HOLLIDAY. If the Army permits it, yes.

Mr. McCANN. Does not the Army even pay to have some of these—

Mr. HOLLIDAY. In certain cases, but in other cases they are not permitted to accompany their husbands.

Mr. McCANN. All right. If she is home in her own precinct and not accompanying her husband, she would not be away from her own voting precinct, but if she accompanied him, do you favor that she could vote or not?

Mr. HOLLIDAY. I would say that that would depend on circumstances.

Mr. McCANN. What circumstances?

Mr. HOLLIDAY. Mr. Speaker, I asked about civilians.

Mr. McCANN. Well I answered you.

Mr. HOLLIDAY. You brought up the question of yourself and wife being out of town and not registered voters.

Mr. McCANN. Correct.

Mr. HOLLIDAY. Why should you a civilian, out of town, in Chicago or some other state, be permitted to vote in Pennsylvania? You say that you should be allowed to vote. Why were you not registered in Pennsylvania before you went to Chicago if it was just a business trip?

Mr. McCANN. Mr. Speaker, it is not a business trip. A business trip is what if you are a businessman? Say you are a truck driver—that is a good example—a long distance truck driver. I guess they get home every so often. I am sure they do. Now then, on Tuesday, or whenever is election day, say they are in Chicago on a run. They cannot vote at the present time, can they.

Mr. HOLLIDAY. The can, under this law, if they are a registered voter back home. They could apply for an absentee ballot ahead of time and say I am going to be in Chicago.

Mr. McCANN. That is right.

Mr. HOLLIDAY. I have lived both in Chicago and Pennsylvania and I was a registered voter in Chicago, and I came back and registered again in Pennsylvania.

Mr. McCANN. That is correct. There is no argument there. But, now, if your wife accompanied you—

Mr. HOLLIDAY. She did. She was registered in Chicago too.

Mr. McCANN. If your wife was accompanying you, as a truck driver your situation is that she could not vote.

Mr. HOLLIDAY. If she is away and has no license and if she is a civilian, I would say that no person has a license to vote in a Pennsylvania election if they are out of the state on a business trip, unless they are registered.

If you open the gates that wide anybody could vote—We have 25,000 people in Blair County, I believe, that are not registered out of the total population. The same holds true throughout the state. Every one of those 25,000 people who did not take the interest to register could walk out of the county and apply for an absentee ballot.

Mr. McCANN. No. Those people would not be eligible to vote.

Mr. HOLLIDAY. Why not?

Mr. McCANN. Where they are away from home or their

place of employment in comparison to the other situation in which state they would then be eligible to vote.

Mr. HOLLIDAY. Well all right, if they are away on election day, any person who is away from his home on election day according to your basis, would be permitted to vote on an absentee ballot.

Mr. McCANN. Unavoidably away, yes.

Mr. HOLLIDAY. That is right.

Mr. McCANN. On a business trip.

Mr. HOLLIDAY. Whether he is truck driver, railroad man running an engine or a conductor if he is on a trip, he could vote whether he is registered or not.

Mr. McCANN. He has to be registered and unavoidably detained. It is right in the bill if you read it carefully. On page 7, on line 7 the portion which was struck out in the Senate, it is very clear if you read the bill.

Mr. HOLLIDAY. On what basis would you get a vote when going to Chicago on a business trip.

Mr. McCANN. If I, on election day, knew that I had to be in Chicago, Illinois, unavoidably detained on business or work, a registered voter in my own precinct where I live—

Mr. HOLLIDAY. You are not registered. You said you are in Chicago and not a registered voter.

Mr. McCANN. I am a male. I am registered, you will find that on page 7.

The SPEAKER pro tempore. Will the gentlemen yield? The Chair has been very patient and believes the interrogation should be conducted through the Chair and not as an argument across the Hall.

Mr. McCANN. Mr. Speaker, I certainly agree with that.

I would like to say that the person has to be registered, which is clearly outlined in the one section and reads unavoidably detained, the right to secure the ballot. Now, his wife, we are talking about the serviceman's section, we favor that in the bill.

Mr. HOLLIDAY. No, Mr. Speaker, I am referring to the serviceman. I am talking of the question that the gentleman from Greene brought up when he said, my wife and I were in Chicago on a business trip and we would be permitted to vote on an absentee ballot whether we were registered or not. That is my question.

Mr. McCANN. If your question is pinpointed that carefully, the answer would be they would not be eligible to secure an absentee ballot because he was not a qualified registered voter as indicated on page 7, line 7.

Mr. HOLLIDAY. Well, Mr. Speaker, evidently the gentleman from Greene has reread the law, and I believe that would change his original statement.

Mr. McCANN. No, Mr. Speaker, the section above that deals with the veteran. And I want to clearly define it. If you will look where it is struck out by the Senate in the various amendments—evidently not too many people have been studying the House bill that passed this House. Some items were different when the House passed this bill. I think you will agree to that. With that in mind I hope that we can concur and go to a conference committee to thrash out these various sections.

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the Majority Leader on one point.

The SPEAKER pro tempore. Will the Majority Leader consent to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. TOMPKINS. Mr. Speaker, John Doe is in the service and he is assigned to duty in Germany. While in Germany he meets a member of the female corps and marries her. This member of the female corps joins the service from Cleveland, Ohio, and she is a duly qualified resident and voter in Cleveland, Ohio. Would that give Mary Doe from Cleveland, Ohio, the privilege of getting an absentee ballot in Harrisburg because she married John Doe from Harrisburg?

Mr. McCANN. I knew you were going to bring up the real tough technical ones about the marriage, but let us say this: The husband of course is entitled to an absentee ballot. His wife was already entitled to an absentee ballot had she been a Pennsylvania girl in service. But you mentioned the fact that she was from Ohio. I could not answer whether she could get a ballot in Cleveland, Ohio, but I think you could agree with me that under the bill as it passed the House she would be entitled to voting rights as a wife of the husband in active duty in the armed forces, in Pennsylvania, in the precinct or voting district which the husband came from. You agree to that? Now, the next question is, she might be able to vote twice if Ohio would permit her to vote. I am sure that has happened—

Mr. TOMPKINS. Mr. Speaker, may I raise the question as to how that wife avoids the other Constitutional provision with reference to a year's residence in Pennsylvania to be a qualified elector?

Mr. McCANN. Mr. Speaker, I am sure that the only question I can answer there would be that she would have to have a year's qualification before she would be eligible to vote. Then you are going to say, how are you going to certify as to that year since her husband went into active duty from Pennsylvania and had the necessary qualified period of time? But these technical cases, I believe, would be determined by the fact that she would not be eligible unless she had the qualified period of time to secure an absentee ballot.

Mr. TOMPKINS. Well, it does not say that in the bill, however.

Mr. McCANN. It does not, and if you read it carefully you will not find the answer to that question, or the other about the marriage that you might want to impose regarding girls from certain other foreign countries.

Mr. BELL. Mr. Speaker, we have had a very learned debate on this subject and it is quite obvious when one reads the bill that the debate, in large part, is away from the subject-matter of the bill, and the basic subject-matter of this bill is tied in with the integrity of our elections.

I say this because it is basic law in Pennsylvania that a person to vote should be registered. We, in the past, have given the right to vote to those who are not registered if they are in the military service or if they are disabled, bedridden veterans.

The question is, are we going to hold the right to vote of an unregistered elector to those two categories, or are we going to open the door? Are we going to open the door to the husbands of the WACS—so I cannot be accused of being against lady voters—are we going to open the door to the dependent of all these people, or are we going to uphold the integrity of our elections by insisting that a person has to be registered to vote? I think that is the basic question here, and the other House, as

our Speaker says, has in its wisdom asked that we keep our elections restricted to registered voters, except for people in the service and those veterans in hospitals. That is the only question here.

I say we should vote to hold our voting rights to those who are registered.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 2268

Mr. McCANN. Mr. Speaker, I call up the report of the Committee on Conference on House Bill No. 2268.

The report of the Committee on Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2268, entitled: "An act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries; establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties."

Respectfully submit the following bill as our report:

FRANK KOPRIVER, JR.,
HAROLD E. FLACK,
MARTIN L. MURRAY,
(Committee on the part of the Senate)

JAMES MUSTO,
STANLEY A. MEHOLCHICK,
JAMES J. JUMP,

(Committee on the part of the House of Representatives)

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Establishment of Safety Zone A safety zone is hereby established beneath and adjacent to every stream river and natural or artificial body of water in the Commonwealth that is sufficiently large to constitute a hazard to mining in the opinion and in the discretion of the department. Such safety zone shall in the case of such streams and rivers extend horizontally two hundred feet from the high water mark of each bank. In the case of any other body of water sufficiently large to constitute a hazard to mining in the opinion and in the discretion of the department it shall extend horizontally two hundred feet from the known perimeter. In any case the zone shall extend downward to the limit of the workable beds.

Section 2 Written Authorizing Needed to Mine Within Safety Zone (a) No mining or removal of minerals whatsoever shall be permitted within the safety zone unless authorization is specifically granted in advance and in writing by the Department of Mines and Mineral Industries.

(b) Such authorization shall only be granted upon application of the operator and/or the lessor. Such application shall be accompanied by four copies of a plan of the proposed mining operation. The plan shall indicate the thickness of the unconsolidated strata the thickness of the rock strata and coal beds overlying the bed to be mined the thickness of the bed the widths of the openings to be made and the width of the pillars to be left and any other special features that may be deemed necessary as affecting the contemplated first mining.

(c) The Department of Mines and Mineral Industries shall make periodic examinations to determine the accuracy of all the plans maps and drawings submitted to them under the provisions of this act.

Section 3 Requirements for Plan Approval. In no instance will any plan be approved if there is less than thirty-five feet of rock cover. Factors considered in plan approval shall include thickness of bed width of mine openings width of pillars and such other factors as are deemed applicable by the Department of Mines and Mineral Industries.

Section 4 Pillar Recovery. No pillar recovery shall be undertaken until such time as the plans are approved by the Department of Mines and Mineral Industries. Application for pillar recovery shall be accompanied by four copies of the plan which shall include such information as shall be determined by the department. The approval or disapproval shall be based on the factors of depth the thickness of the bed the percentage of pillars proposed to be extracted and to be left the effect on pillars remaining in overlying beds and any other special features that may be deemed necessary by the department.

Section 5 Proof of Rock Cover (a) Proof of the existence of thirty-five feet of rock cover shall accompany any plans submitted.

(b) Said proof of rock cover is to be ascertained by tests holes drilled on intersecting lines forming rectangles or squares where the cover thickness is less than fifty feet. These holes shall be drilled in spacing of not more than thirty-five feet centers.

Section 6 Copies of Plans and Proof of Rock Covers to be Signed All copies of the aforementioned plans and proof of rock cover must indicate the location of the test holes and the depth of the rock cover and they must be signed before submission to the Department of Mines and Mineral Industries by a Registered Mining Engineer representing the operator and a Registered Mining Engineer of the lessor and/or owner.

Section 7 Approval or Disapproval of Plans (a) After examination and approval of the plans by a Registered Mining Engineer for the Department of Mines and Mineral Industries and the secretary of the department they shall sign all copies. The original shall be retained in the department one copy shall be forwarded to the State mine inspector for the area in which the mining is to be carried on one copy is to be forwarded to the Registered Mining Engineer representing the operator and/or the lessor or owner and one copy is to be forwarded to the operator.

(b) If the plan is disapproved the Registered Mining Engineer for the Department of Mines and Mineral Industries and the secretary of the department shall note their reasons and attach a copy to each set of plans. One copy of the plan shall then be returned to the operator one to the State mine inspector for the area one to the Registered Mining Engineer for the operator and/or owner or lessor and one shall be retained by the department.

Section 8 Notice to Miners Working Within the Safety Zone After approval of the plan by the Department of Mines and Mineral Industries no mining or removal of minerals may begin within the safety zone until the mine foreman has conspicuously posted a notice on the outside of the mine and has orally notified each miner affected that he is working in the safety zone.

Section 9 Penalties Any agent of the mine operator or any of its officers or supervisory employees or any agent of the owner or any of the owner's officers or supervisory employees if said owner engages in active supervision and control over the operator or any mine inspector who by acts of commission or omission wilfully and knowingly violates any provisions of this act and the act of commission or omission is the contributory cause of an incident which results in death or serious bodily harm of anyone lawfully in the mine shall be guilty of a felony and upon conviction be sentenced to pay a fine of not more than five thousand dollars (\$5,000) and undergo imprisonment for a period not exceeding three years or both.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to ask the Majority Leader to explain the changes by the Conference Committee. As I understand, the changes were small. We have not caucused on the report. If the changes are material, we will have to caucus on it.

Mr. McCANN. Mr. Speaker, I will have Mr. Musto of Luzerne County explain the change which was just one paragraph.

Mr. MUSTO. Mr. Speaker, it was agreed by the Conference Committee of the Senate and House, it was a clarification of the opening which is different in the anthracite coal fields than in the bituminous coal fields. There was no disagreement whatsoever in the Conference Committee, so I ask the House to vote for it.

On the question recurring.

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

| | | | |
|-------------|-------------------|---------------------|------------|
| Agnew, | Galley, | McCandless, | Rovansek, |
| Anderson, | Gallagher, | Frank, | Royer, |
| Arlene, | Garlock, | Frascella, | Rudisill, |
| Ashton, | Gelfand, | Fulmer, | Sakulsky, |
| Auker, | George, | McCann, | Scarcelli, |
| Balthaser, | Gibb, | McCormack, | Schaaf, |
| Barton, | Goldstein, J. H., | McDonald, | Schuster, |
| Bell, | Gramlich, | McInroy, | Schwartz, |
| Blair, | Guthrie, | McLaughlin, | Seltzer, |
| Boies, | Hamilton, | Machmer, | Sherman, |
| Bonner, | Haudenshield, | Mahan, | Shupnik, |
| Boris, | Heavey, | Markley, | Snare, |
| Bower, | Heffner, | Maxwell, | Snider, |
| Bowman, | Helm, | Mehschick, | Stank, |
| Branca, | Henzel, | Mihm, | Steckel, |
| Brenninger, | Hocker, | Miller, B. Z., | Stewart, |
| Breth, | Holliday, | Mills, | Stoner, |
| Buchanan, | Holt, | Muldowney, | Strausser, |
| Burns, | Horst, | Mullen, | Stroup, |
| Capano, | Irvia, | Munley, | Sullivan, |
| Capitolo, | Isaacs, | Murphy, A. J., Jr., | Taylor, |
| Cianfrani, | Jim, | Murphy, P. J., | Thompson, |
| Cioffi, | Johnson, A. W., | Murray, H. P., | Tompkins, |
| Comer, | Johnson, R., | Murray, P. G., | Trusio, |
| Crossin, | Jones, F. E., | Musto, | Ujebal, |

Curwood,
Davis,
Dengler,
Dennis,
Dennison,
Devlin,
Donahue,
Donaldson,
Dougherty,
Edwards,
Elberg,
Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,

Kamyk,
Kee,
Kaiser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kornick,
Korns,
Kubitaky,
Kovolenko,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,

Naugle,
Needham,
Nelson,
Odorizio,
Ogilvie,
O'Neil,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Redman,
Renwick,
Rigby,
Riley,

Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Weldner,
Welsh,
Wescott,
Wheeler,
Williams, A. D., Jr.,
Williams, E. S.,
Wilt,
Worley,
Wynd,
Yatron,
Yetter,
Zimmerman,
Andrews,
Speaker

NAYS—0

NOT VOTING—30

Brown,
Clarke,
Cooper,
Down,
Fox,
Goldstein, M. H.,
Goodrich,
Jenkins,

Jones, T. H. W.,
Jump,
Light,
McKeever,
Magee,
Merry,
Miller, H. G.,
Monroe,

Moran,
Murray, J. J.,
O'Dell,
O'Donnell, J. A.,
O'Donnell, J. P.,
Reidenbach,
Silverman,
Wood,

Stevens,
Stimmel,
Stone,
Whittaker,
Willard,
Willaredt,
Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

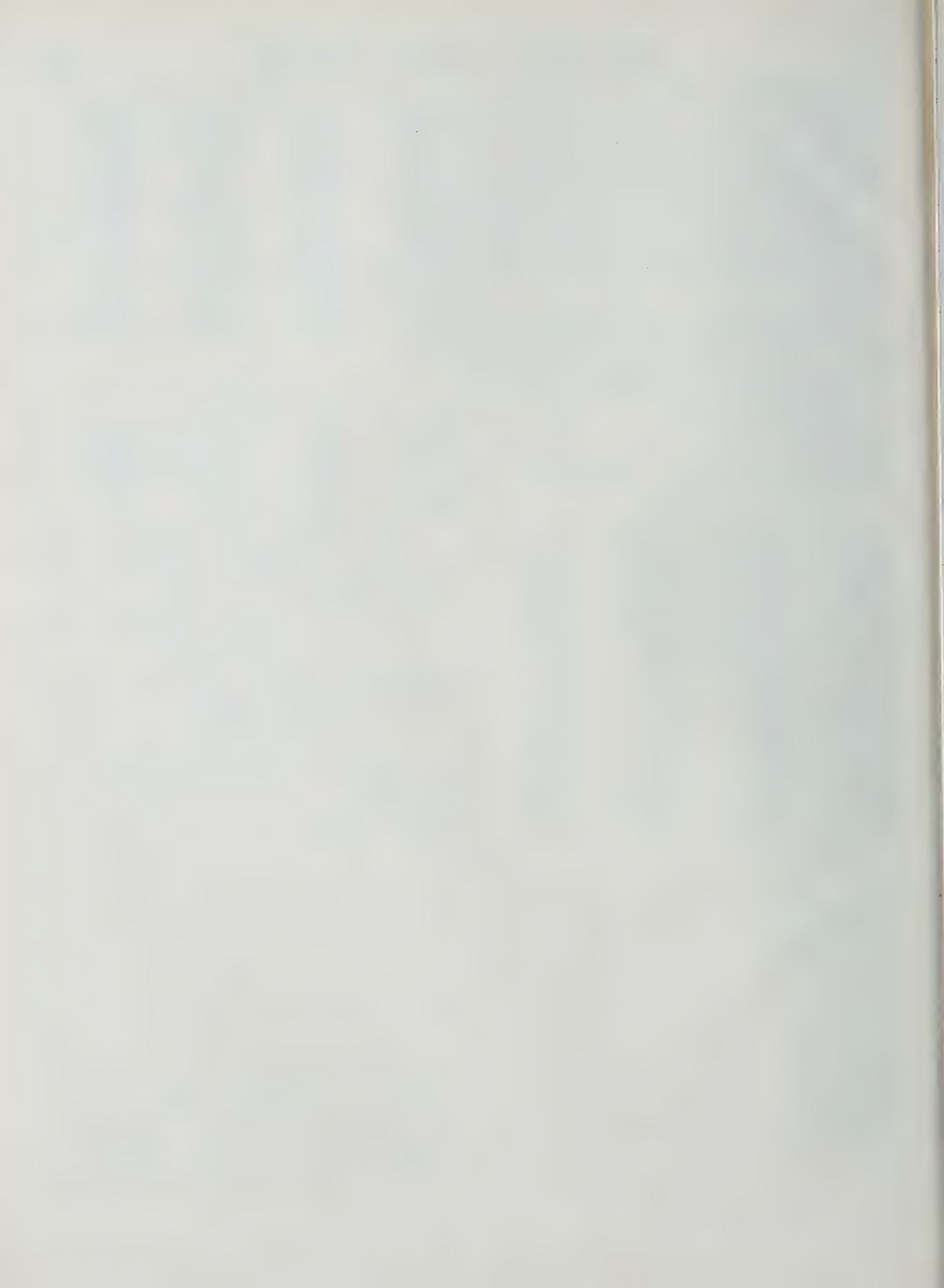
COMMITTEE MEETING

FISHERIES, Mr. Curwood, Chairman, Room No. 323, Tuesday, December 15, at 1:30 p.m.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Tuesday, December 15, 1959 at 2:00 p.m. E.S.T.

The motion was agreed to, and (at 6:41 p.m. E.S.T.) the House adjourned.



Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, DECEMBER 15, 1959.

No. 123.

SENATE

TUESDAY, DECEMBER 15, 1959.

The Senate met at 2:00 o'clock p. m.
The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

Rev. NORMAN E. DETTRA, Evangelical United Brethren Church Clergyman, Annville, offered the following prayer:

Let us pray.

O Thou Who inhabitest eternity, blessed be Thy Name, for Thou alone art God.

As of old, when the sons of an ancient High Priest entered the Jewish temple at Jerusalem, and finding there eight iron spears, they stuck candles in those spears and kindled them. So, Most Holy One, encourage us to make of every adverse situation a ray of light which will illumine and guide our fellow men to a more perfect understanding of themselves and of Thee.

Spare us, O God, the embarrassment of forgetting that with every Menorah, there is a challenge to rededicate our lives to a better service to our fellow men. Teach us, blessed One, to search until we find that light of peace, and then press on undaunted and unafraid, valiant and free from malice. Thus, we will usher in that kingdom which Thou hast ordained for mankind.

Give to us that sense of power which comes with each day's renewed dedication of self to Thee.

Hear this our prayer, O Thou Holy One, for Thou art God. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

UNANIMOUS CONSENT GRANTED FOR IMMEDIATE CONSIDERATION OF THE CALENDAR

Mr. BERGER. Mr. President, I ask unanimous consent to pass over the regular order of business, up to the consideration of today's Calendar, in order to take up immediate consideration of the Calendar and, thereafter, to return to the regular order of business.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLEMING. Mr. President, just for the purpose of the record, I understand that after we have gone through consideration of today's Calendar, we will then return to the regular order of business. Is that correct?

The PRESIDING OFFICER. That is absolutely correct.

DOCTOR ALEX BARBER, OF CAMBRIA COUNTY, PRESENTED TO SENATE

Mr. WALKER. Mr. President, at this time, I wish to present to the Senate of Pennsylvania one of our most distinguished citizen in Cambria County. I would now like to introduce a soldier, a holder of the Distinguished Service Medal, a fine gentleman and a good person; namely, Doctor Alex Barber.

Doctor Barber, will you please stand?

The PRESIDING OFFICER. The Chair, on behalf of the Members of the Senate, most certainly extends a cordial welcome to this distinguished citizen from Cambria County, the guest of Senator Walker.

SB 1043, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. MAHADY called from the table SB 1043, which was recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF SB 1043, RECALLED FROM THE GOVERNOR

Mr. MAHADY. Mr. President, I move that the Senate do now reconsider the vote by which SB 1043, recalled from the Governor, passed finally on November 10, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. MAHADY. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.
And the question recurring,
Shall the bill pass finally?

Mr. MAHADY. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. MAHADY. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MAHADY, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 2) page 5, lines 5 to 9, by striking out "one" in line 5 and all of lines 6 to 8 and "the court such request should be granted" in line 9 and inserting: "the time allowed for filing motions and reasons for new trial."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. MAHADY.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 275—Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House SB 275.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Hays, | Miller, | Stiefel, |
| Berger, | Kalman, | Mullin, | Taylor, |
| Blass, | Keller, | Murray, | Van Sant, |
| Camel, | Kessler, | Pechan, | Wade, |
| Chapman, | Koprivier, Jr., | Propert, | Wagner, |
| Confair, | Kromer, | Ripp, | Walker, |
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarra, | Whalley, |
| Elliott, | Mallery, | Seyler, | Wolfe, |
| Flack, | McCreesh, | Shafer, | Scott, |
| Fleming, | McGinnis, | Silvert, | Presiding Officer |
| Wagner | McMenamin, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE

HB 1207—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON FINAL PASSAGE

HB 634—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1355—The amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Fleming, | McCreesh, | Van Sant, |
| Berger, | Harney, | Pechan, | Wade, |
| Blass, | Hays, | Propert, | Wagner, |
| Camel, | Kalman, | Ruth, | Walker, |
| Chapman, | Keller, | Seyler, | Watkins, |
| Confair, | Kessler, | Shafer, | Weiner, |
| DiSilvestro, | Koprivier, Jr., | Silvert, | Whalley, |
| Ehrgood, | Kromer, | Stevenson, | Wolfe, |
| Elliott, | Madigan, | Stiefel, | Scott, |
| Flack, | Mallery, | Taylor, | Presiding Officer |

NAYS—6

| | | | |
|----------|-----------|------------|---------|
| Donolow, | Mahady, | McMenamin, | Mullin, |
| Lane, | McGinnis, | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

REASONS FOR VOTE

Mr. LANE. Mr. President, the reason for my voting "no" on this piece of legislation is because there are two distinct matters contained in this bill. I feel that the amendments should have been placed in one bill and in one piece of legislation, alone.

Therefore, Mr. President, I cannot accept this wrapped up piece of legislation and vote for it in its present form. My vote was "no" because I feel that the action taken by those who amended this legislation makes this bill unconstitutional.

THIRD READING CALENDAR

BILLS ON THIRD READING, RECALLED FROM THE GOVERNOR

SB 297—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SILVERT, by unanimous consent, offered the following amendments:

Amend title, page 1, line 1 of the title by striking out "Repealing" and inserting: "Amending"; Amend title, page 1, line 3 of the title by inserting after the quotation mark: "by changing the penalties"; Amend title, page 1, line 3 of the title by inserting after "minors": "under the age of twenty-one years"; Amend Section 1, page 1, line 2 by striking out "repealed" and inserting: "amended to read: "Section 650. Pawnbrokers Dealing with Minors.—"Whoever, being a pawnbroker or the employe of a pawnbroker, makes any loan or advances, or permits to be made any loan or advance, to any minor under the age of [sixteen (16)] twenty-one (21) years, or in any man-

ner receives, directly or indirectly, any goods, chattels, wares, or merchandise from any minor under the age of [sixteen (16)] twenty-one (21) years, in pledge for loans made or to be made to such minor, or whoever acts as an intermediary between any pawnbroker or the employe of a pawnbroker to effect any loan, the benefit of which shall accrue to any minor under the age of [sixteen (16)] years, shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not less than five dollars (\$5) nor more than twenty-five dollars (\$25) for each offense, or, in case of nonpayment of such fine within forty-eight (48) hours, to undergo imprisonment for a period not exceeding five (5) days; twenty-one (21) years shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000) or undergo imprisonment not exceeding one (1) year, or both."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

On the question,

Shall the bill pass finally?

Without objection, the bill, as amended, was passed over in its order at the request of Mr. SILVERT.

SB 298—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Hays, | Mullin, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Propert, | Wade, |
| Chapman, | Koprivier, Jr., | Ripp, | Wagner, |
| Confair, | Kromer, | Rooney, | Walker, |
| DiSilvestro, | Lane, | Ruth, | Watkins, |
| Donolow, | Madigan, | Sarraf, | Weiner, |
| Ehrgood, | Mahady, | Seyler, | Whalley, |
| Elliott, | McCreesh, | Shafer, | Wolfe, |
| Flack, | McGinnis, | Silvert, | Scott, |
| Fleming, | McMenamin, | Stevenson, | Presiding Officer |
| Harney, | Miller, | | |

NAYS—1

Mallery,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 1133—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Hays, | Miller, | Stiefel, |
| Berger, | Kalman, | Mullin, | Taylor, |
| Blass, | Keller, | Murray, | Van Sant, |
| Camiel, | Kessler, | Pechan, | Wade, |
| Chapman, | Koprivier, Jr., | Propert, | Wagner, |
| Confair, | Kromer, | Ripp, | Walker, |
| DiSilvestro, | Lane, | Rooney, | Watkins, |
| Donolow, | Madigan, | Ruth, | Weiner, |
| Ehrgood, | Mahady, | Sarraf, | Whalley, |
| Elliott, | Mallery, | Seyler, | Wolfe, |
| Flack, | McCreesh, | Shafer, | Scott, |
| Fleming, | McMenamin, | Silvert, | Presiding Officer |
| Harney, | McGinnis, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING

HB 1002—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 1017—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

During the calling of the roll, the following occurred: Mr. RIPP. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. PROPERT. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MCCREESH. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I voted "aye" on this bill, but in order to save this vital piece of legislation, I want to change my vote and be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. ROONEY. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—9

| | | | |
|----------|----------|----------|-------------------|
| Berger, | Fleming, | Pechan, | Scott, |
| Blass, | Harney, | Silvert, | Presiding Officer |
| Chapman, | Mullin, | | |

NAYS—38

| | | | |
|---|--|---|--|
| Camel, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Hays, Kalman, Keller, | Kessler, Koprivier, Jr., Kromer, Lane, Mahady, Madigan, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Murray, Propert, Ripp, Rooney, Ruth, Seyler, Shafer, Stevenson, | Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Wolfe, |
|---|--|---|--|

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

HB 1121—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|---|--|---|
| Bart, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson, | Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer |
|---|---|--|---|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1122—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---|---|--|---|
| Bart, Berger, Blass, Camel, Chapman, Confair, DiSilvestro, Donolow, Ehrgood, Elliott, Flack, Fleming, Harney, | Hays, Kalman, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mahady, Mallery, McCreesh, McGinnis, McMenamin, | Miller, Mullin, Murray, Pechan, Propert, Ripp, Rooney, Ruth, Sarraf, Seyler, Shafer, Silvert, Stevenson, | Stiefel, Taylor, Van Sant, Wade, Wagner, Walker, Watkins, Weiner, Whalley, Wolfe, Scott, Presiding Officer |
|---|---|--|---|

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has

passed the same with amendments in which concurrence of the House is requested.

SB 1189 and 1242—Upon motion of Mr. BERGER, seconded by Mr. PECHAN, and agreed to, the bills were dropped from the Calendar.

SB 1256 and 1257—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 1344—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

| | | | |
|---|---|---|---|
| Berger, Blass, Chapman, Confair, Ehrgood, Elliott, Flack, Fleming, | Harney, Keller, Kessler, Koprivier, Jr., Kromer, Lane, Madigan, Mallery, | Pechan, Propert, Shafer, Stevenson, Taylor, Van Sant, Wade, | Wagner, Walker, Watkins, Whalley, Wolfe, Scott, Presiding Officer |
|---|---|---|---|

NAYS—17

| | | | |
|--|---|--------------------------------------|--|
| Donolow, Hays, Kalman, Mahady, McCreesh, | McGinnis, McMenamin, Miller, Mullin, | Murray, Ripp, Rooney, Ruth, | Seyler, Silvert, Stiefel, Weiner, |
|--|---|--------------------------------------|--|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

REMARKS RELATING TO REQUEST FOR RULING BY THE CHAIR

Mr. MAHADY. Mr. President, I call to the attention of the Senate, in connection with the bill which just passed, that I asked for a ruling from the Chair two weeks ago and I was ignored. I do not mind, but I think I am a Member of this Senate—at least I have been here—and when I ask for a ruling, I think I am entitled to it. I see no reason in the world for such action. We accepted amendments to it and did everything else except have a ruling on it.

The PRESIDING OFFICER. The present occupant of the Chair most certainly would like to apologize to the Senator. Unfortunately, he was not in the Chair at the time when the request for the ruling was made.

BILLS ON THIRD READING

HB 1474—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, I do not think that I can vote for this bill which would allow the investment of the retirement funds of the schoolteachers and the State employees of Pennsylvania into common stocks. I think any trust is a sacred trust. However, the trust

which the Commonwealth must have toward the moneys invested by its employees and its teachers in their pension funds is of such a high nature that I think the risk of investing those moneys in common stocks is going just a little bit too far.

Mr. BERGER. Mr. President, I find myself in complete agreement with the gentleman who just spoke. This bill would permit the investment of the retirement funds in common and preferred stocks, under the same rules which presently apply to fiduciary investments. While we realize that the people in charge of these funds, for the investment thereof, are people of high integrity and excellent judgment, nevertheless, I think it would be too great of a responsibility for the Members of this Senate to say to them that they should invest the retirement funds of the schoolteachers and the State employees in common or preferred stocks.

Therefore, Mr. President, I intend to vote "no" on this bill.

Mr. LANE. Mr. President, I find myself in complete agreement with Senator McMenamin and the Majority Leader. I have observed here that on page 5, of House Bill No. 1474, Printer's No. 1997, the sponsors of the legislation have endeavored to write some sort of a safeguard into the bill. However, I do not believe that it is sufficient.

I believe the objective of this bill is to bring about a greater yield on the investment by investing in common stock and, therefore, cutting down the State appropriation as far as the guaranteed interest is concerned. However, Mr. President, I do not believe that we can safely vote for this piece of legislation and feel sure that the retirement funds of the schoolteachers and State employees are properly protected.

Therefore, Mr. President, I, too, must oppose the passage of this legislation.

And the question recurring,

Shall the bill pass finally?

During the calling of the roll, the following occurred: Mr. RIPP. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. MILLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0

| | | | |
|--------------|-----------------|------------|-------------------|
| Berger, | Kessler, | Murray, | Taylor, |
| Chapman, | Koprivier, Jr., | Pechan, | Van Sant, |
| Confair, | Kromer, | Propert, | Wade, |
| DiSilvestro, | Lane, | Ripp, | Wagner, |
| Donolow, | Madigan, | Rooney, | Walker, |
| Ehrgood, | Mahady, | Ruth, | Watkins, |
| Elliot, | Mallery, | Seyler, | Weiner, |
| Flack, | McCreesh, | Shafer, | Whalley, |
| Fleming, | McGinnis, | Silvert, | Wolfe, |
| Hays, | McMenamin, | Stevenson, | Scott, |
| Kalman, | Miller, | Stiefel, | Presiding Officer |
| Keller, | Mullin, | | |

NAYS—45

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

HB 1597—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1639—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

| | | | |
|--------------|------------|------------|-------------------|
| Berger, | Kessler, | Pechan, | Van Sant, |
| Blass, | Lane, | Rooney, | Walker, |
| Chapman, | McGinnis, | Ruth, | Weiner, |
| DiSilvestro, | McMenamin, | Seyler, | Wolfe, |
| Donolow, | Miller, | Silvert, | Scott, |
| Fleming, | Mullin, | Stevenson, | Presiding Officer |
| Hays, | Murray, | Stiefel, | |

NAYS—18

| | | | |
|----------|-----------------|-----------|----------|
| Confair, | Koprivier, Jr., | McCreesh, | Wade, |
| Elliot, | Kromer, | Propert, | Wagner, |
| Flack, | Madigan, | Ripp, | Watkins, |
| Kalman, | Mahady, | Shafer, | Whalley, |
| Keller, | Mallery, | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1735 and 1740—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

RECESS

Mr. BERGER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Rules.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, in view of the recent divergent views on the compensation of the judges, I feel it is high time that the Joint State Government Commission undertook a study. Therefore, I am offering a resolution to that effect, and I ask for its immediate consideration and adoption.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE COMPENSATION OF THE JUDGES OF THE COMMONWEALTH

Mr. STIEFEL, by unanimous consent, offered the following resolution (Serial No. 92), which was read as follows:

In the Senate, December 15, 1959.

Whereas, Various proposals have been made at this

session of the General Assembly regarding the compensation of some of the judges of the Commonwealth; and Whereas, The financial needs of all members of the judiciary should be considered; and

Whereas, The General Assembly, in order to maintain an independent judicial system of the Commonwealth, requires additional data such as comparative statistics, reflecting judicial salaries in comparative sister States and other information of cognate nature for consideration and adequate "evaluation of this matter; Now, Therefore, Be It

Resolved, That the Joint State Government Commission be directed to study and investigate the compensation of the judges of the Commonwealth, the need for changes and adjustments concerning such compensation, and report its findings and recommendations to the General Assembly immediately upon the completion of the study.

Mr. BERGER. Mr. President, I object to the immediate consideration of this resolution.

The PRESIDING OFFICER. There being objection, the resolution is referred to the Committee on Rules.

BILLS ON THIRD READING

HB 1904—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

| | | | |
|--------------|-----------------|------------|-------------------|
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camel, | Kessler, | Probert, | Wade, |
| Confair, | Koprivier, Jr., | Ripp, | Wagner, |
| DiSilvestro, | Kromer, | Rooney, | Walker, |
| Donolow, | Lane, | Ruth, | Watkins, |
| Ehrgood, | Madigan, | Seyler, | Weiner, |
| Elliot, | Mallery, | Shafer, | Whalley, |
| Flack, | McCreesh, | Silvert, | Wolfe, |
| Fleming, | McGinnis, | Stevenson, | Scott, |
| Harney, | McMenamin, | Stiefel, | Presiding Officer |
| Hays, | Miller, | | |

NAYS—2

Mahady, Mullin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1971—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. KOPRIVER, JR. Mr. President, I believe in consistency. That is why I intend to vote in favor of the Sunday hotel liquor sales referendum for Pittsburgh and Philadelphia. This bill applies only to those two cities. The purpose is to enable these cities to compete with other cities in attracting conventions.

I want to emphasize the words "consistency" and "referendum." I especially want to call those words to the attention of double-talking Democrats on the other side of this Chamber. When I fought hard earlier this Session for a referendum on the mass transit bill in Allegheny County so that the people of our county might have a chance to vote "yes" or "no," the Democratic Members of this Senate vigorously opposed it. Now the

Democrats are talking out of both sides of their mouths. They are suddenly in favor of a Sunday hotel sales referendum, which again takes care of our two largest cities. The Democratic Members of this Senate did not give a hang about what the people of Allegheny County thought about the multi-million dollar mass transit foolishness, but they bow low for this Sunday liquor sales bill.

I want the record to show clearly that I am not voting for the Democrats on this bill. However, I am supporting the bill because I believe in voting consistently and because I believe fairly in permitting people to express themselves on controversial measures such as this.

Mr. LANE. Mr. President, since I handled the mass transit bill on this side of the Senate during the debate and the passage of the bill, I might say to my good friend, Senator Koprivier, that there was a referendum feature in the bill which provided that at the discretion of the county commissioners, a referendum could be held in regard to mass transit in the city of Pittsburgh and the county of Allegheny.

In regard to this piece of legislation which is before us today, we have a little different aspect. If there were no local machinery which would provide or manage a referendum, I feel that I would not vote for this bill. However, in view of the fact that there is a local referendum provided, I am going to vote for this legislation. This is a departure from my position, but I feel that I cannot deny the people of the city of Pittsburgh and the city of Philadelphia the right to vote locally on their problem.

I repeat that the county commissioners in Allegheny County have the prerogative of deciding whether or not there should be a local referendum in the city of Pittsburgh.

Mr. FLEMING. Mr. President, I rise to oppose this bill. At the outset, I want to say that I am fundamentally opposed to any liberalization of the liquor laws. I am fundamentally opposed to any encroachment on the observance of the Sabbath Day.

This bill is grossly unfair to other cities from that standpoint. It picks out two cities in Pennsylvania and gives them the right to sell liquor on the Sabbath during certain hours, provided that fifty-five per cent of their business is derived from food. It clearly ignores the right of competitive hotels in surrounding and adjacent territories to do likewise. Clearly in the county of Allegheny, the hotels in the city of Pittsburgh—if this measure were to pass—could conceivably serve liquor on Sunday, and it denies that same right to hotels in the other 122 municipalities in Allegheny County, in many of which I believe if an investigation were to be made, it would be found that over fifty-five per cent of their business was food on the Sabbath Day. Clearly it is an opening wedge into further desecrating the Sabbath Day because unquestionably—and I can understand why this would occur—there would be a great drive on the part of owners of hotels in other territories to secure the same rights that would be given to the owners of hotels in the city of Philadelphia and the city of Pittsburgh. I do not believe that, in any way, this can help the economy of either of the two large cities.

I certainly feel that in Pennsylvania when we take steps toward further demoralizing the Sabbath Day and

further getting away from the strict—or as strict as possible—observance of the Sabbath Day, that we are taking a step that is fundamentally wrong in the Commonwealth of Pennsylvania.

I would urge every Member of this Senate to examine his own conscience. This is not a partisan matter, certainly. It is a matter on which each man should represent his own constituency. I am absolutely satisfied, Mr. President, that I represent the great majority of those people whom I represent in the Senate of Pennsylvania when I vote as emphatically and as loudly as I can against this measure.

Mr. WEINER. Mr. President, I just want to say, very briefly, that this is a matter which is coming before the people. If, in their wisdom, they decide to vote against this matter, they can do so, and that will be the voice of the people speaking. I think that all of us should have enough confidence in the people that if they do not want a thing, or they do not want to desecrate the Sabbath, if that is the fact,—which I do not believe—I think that the people are capable of making their voices heard.

The gentleman has stated—and I believe his point is well taken—that the bill does not go far enough. In past Sessions, there have been efforts to enlarge the jurisdiction of this matter, but nothing has ever come to a vote or the matter has been defeated in committee.

I would like to point out further to the gentleman that the two cities involved are Philadelphia and Pittsburgh, and not Sodom and Gomorrah.

Mr. WALKER. Mr. President, this bill, I believe, is a bad and an evil bill for the reason that those of our populace, whether they be in Philadelphia or Allegheny County, who have to have a drink on Sunday, I am sure, will have no difficulty going to a legitimate club and getting it. I am afraid that it is a vicious opening wedge in our effort to control the liquor traffic, which has been, by legislative enactment, declared a legal business.

As far as I am concerned, I urge all of my colleagues to vote “no” on this bill.

Mr. SILVERT. Mr. President, I followed Mr. Fleming’s argument, and it seemed to me to be somewhat contradictory. He thinks the bill is bad, and I respect his views. At the same time, he said while it is bad, it is unfair to let only Philadelphia and Pittsburgh be bad. It is unfair not to let all of the rest of the cities in the State be bad. It seems to me that such an argument is somewhat inconsistent.

Mr. FLEMING. Mr. President, I certainly had not intended to take the floor a second time. If I left that inference with the Senate, I did not want to leave it.

I meant to say clearly that the proponents of this measure—although I probably did not say it, but this is what I had in mind—know full well that if this measure were applicable to all of the sixty-seven counties of Pennsylvania, it would go down by one of the greatest defeats that would be possible to be made, if all of the Senators knew that the cities, boroughs and townships in their own Senatorial Districts were going to be permitted to have this same referendum.

Certainly, the bill is discriminatory in that phase of it. I further said, and I fully believe, that we should not pass on to the people referendum votes. This is a representative form of government. We are sent here to de-

termine whether or not legislation should be passed. In my opinion, this measure should have been presented clearly on the basis of permissive or otherwise as to whether or not this should be allowed, and we, as Members of the Senate and Members of the House, should stand up and vote our own convictions at that time.

Mr. LANE. Mr. President, I think that we should take a realistic approach to this problem. Many times I have heard, on the floor of this Senate, the argument that we must do something to preserve our cultural centers and our metropolitan areas. Here we have the great city of Pittsburgh with a number of great hotels. They recently had the honor of having a Hilton Hotel open in that city. We have Philadelphia, which is adjacent to New Jersey. It is the largest city in the State of Pennsylvania. If we do not do something to permit these people to vote locally on this problem, I feel that we are doing wrong.

I agree with Senator Fleming that if this were to be applicable to all the boroughs and townships in the State of Pennsylvania, I would be on the floor battling this legislation as vigorously as Senator Fleming battled this particular bill. However, we have to look at it, I think, from an objective point of view. Unless we do something and give these people the opportunity to vote on this particular problem, I feel we are doing wrong.

Someone mentioned that if anyone wanted a drink, he could go to any legitimate club and get a drink. That may be true. As a matter of fact, I believe that most of us agree that that statement is correct. However, we have these large hotels which have large investments and serve a great number of our population. We have large hotels in Philadelphia which take care of national organizations. The same applies to Pittsburgh. Are we going to hamstring the metropolitan areas by being picayunish here today? I believe that we should give them the right to vote. Let us settle it once and for all.

Under the 1937 Act covering liquor control, there were local referendums set up. I recall that, at one time, in my Senatorial District they had a vote whereby they dried up the borough of Waynesburg in which one of the largest hotels was located. The next time they had a referendum, they came right around and reversed themselves, and now liquor sales are permitted in that particular borough.

I know this is a departure as far as the Sabbath Day is concerned. However, I believe the time has come that we should give them the opportunity to vote. I am voting to give the people of the city of Pittsburgh and the city of Philadelphia the right to determine whether or not the hotels should have the right to sell liquor on the Sabbath Day. I feel it is proper. I feel it is only fair.

Mr. BERGER. Mr. President, my reasons for voting against this bill are, in many respects, consistent with those expressed by Senator Fleming.

However, I do not know whether or not the competition which the large city hotels may have from out-of-State hotels is too damaging to their business. I do know that a piecemeal referendum may result in extending this, in future years, over larger portions of the State. I am likewise sure that should this be a State-wide referendum,—and this is only my judgment on it—I believe that it would be overwhelmingly defeated.

Whatever the reasons expressed in favor of this bill or against this bill on this floor, I am convinced and cer-

tain that the people whom I represent are opposed to it. Therefore, I intend to vote against the bill.

And the question recurring,

Shall the bill pass finally?

The yeas were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Keller, | Mullin, | Stiefel, |
| Blass, | Koprivier, Jr. | Murray, | Van Sant, |
| Camiel, | Lane, | Ripp, | Wade, |
| DiSilvestro, | Mahady, | Rooney, | Watkins, |
| Donolow, | McCreesh, | Ruth, | Weiner, |
| Ehrgood, | McGinnis, | Sarra, | Scott, |
| Kalman, | McMenamin, | Silvert, | Presiding Officer |

NAYS—23

| | | | |
|----------|----------|------------|----------|
| Berger, | Harney, | Miller, | Taylor, |
| Chapman, | Hays, | Pechan, | Wagner, |
| Confair, | Kessler, | Propert, | Walker, |
| Elliott, | Kromer, | Seyler, | Whalley, |
| Flack, | Madigan, | Shafer, | Wolfe, |
| Fleming, | Mallery, | Stevenson, | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2108—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

| | | | |
|--------------|----------------|---------|-------------------|
| Barr, | Keller, | Mullin, | Silvert, |
| Blass, | Koprivier, Jr. | Murray, | Stiefel, |
| Camiel, | Lane, | Ripp, | Van Sant, |
| DiSilvestro, | Mahady, | Rooney, | Walker, |
| Donolow, | McCreesh, | Ruth, | Watkins, |
| Flack, | McGinnis, | Sarra, | Weiner, |
| Kalman, | McMenamin, | Seyler, | Scott, |
| | | | Presiding Officer |

NAYS—22

| | | | |
|----------|----------|------------|----------|
| Berger, | Harney, | Miller, | Taylor, |
| Chapman, | Hays, | Pechan, | Wade, |
| Confair, | Kessler, | Propert, | Wagner, |
| Ehrgood, | Kromer, | Shafer, | Whalley, |
| Elliott, | Madigan, | Stevenson, | Wolfe, |
| Fleming, | Mallery, | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2170—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Harney, | McMenamin, | Silvert, |
| Berger, | Hays, | Miller, | Stevenson, |
| Blass, | Kalman, | Mullin, | Stiefel, |
| Camiel, | Keller, | Murray, | Taylor, |
| Chapman, | Kessler, | Pechan, | Van Sant, |
| Confair, | Koprivier, Jr., | Propert, | Wagner, |
| DiSilvestro, | Lane, | Ripp, | Walker, |
| Donolow, | Madigan, | Rooney, | Watkins, |
| Ehrgood, | Mahady, | Ruth, | Weiner, |
| Elliott, | Mallery, | Sarra, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Scott, |
| | | | Presiding Officer |

NAYS—2

| | |
|---------|-------|
| Kromer, | Wade, |
|---------|-------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2192—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Title, page 1, last two lines of Title, by striking out "State Teachers' Colleges and Univer—" in next to last line and all of last line of Title; Amend Sec. 1 (Sec. 1), page 2, lines 12 and 13, by striking out "State Teachers' Colleges and Universities receiving State aid"; Amend Sec. 1 (Sec. 1), page 2, lines 15 and 16, by striking out the bracket before "and" in line 15 and after "Governor" in line 16.

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I ask that my colleagues in the Senate vote against these amendments. This bill would give the power to arrest to policemen in the Pennsylvania State University, State Teachers' Colleges and Universities receiving State-aid. These amendments would eliminate all of those institutions from the operation of the bill, excepting the Pennsylvania State University.

Mr. President, I am informed that the other institutions, contemplated within the purview of this legislation, would like to have their officers also have this arresting power. Particularly, I suggest that the State Teachers' Colleges, many of which are located in rather isolated places, need to have this in order to protect their property and their students from outside violence. I believe the universities receiving State-aid would like to have it. They are now occupying large campuses, located in large cities, and they are subject to intrusion or invasion by persons who are not proper to be upon their campuses and in their buildings.

Consequently, Mr. President, I urge that the Members of this Senate vote against these amendments and vote for the bill as it appears upon our Calendar.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative, and the amendments were not agreed to.

And the question recurring,
Will the Senate agree to the bill on third reading?
It was agreed to.

And the amendments made thereto having been printed
as required by the Constitution,

On the question,
Shall the bill pass finally?

Mr. WEINER. Mr. President, because of certain inherent problems in this bill, many of which are too lengthy to go into and much of which we have discussed at an earlier time, I would like to ask my colleagues to vote "no" on this measure and also on the measure following it, House Bill No. 2193.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Hays, | McGinnis, | Wade, |
| Blass, | Keller, | Pechan, | Wagner, |
| Chapman, | Kessler, | Propert, | Walker, |
| Confair, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |
| Fleming, | Mallery, | Van Sant, | Scott, |
| Harney, | | | Presiding Officer |

NAYS—21

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McMenamin, | Rooney, | Stiefel, |
| Ehrgood, | Miller, | Ruth, | Weiner, |
| Kalman, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2193—Read at length the third time and agreed to,

And the amendments made thereto having been printed
as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Hays, | McGinnis, | Wade, |
| Blass, | Keller, | Pechan, | Wagner, |
| Chapman, | Kessler, | Propert, | Walker, |
| Confair, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |
| Fleming, | Mallery, | Van Sant, | Scott, |
| Harney, | | | Presiding Officer |

NAYS—21

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McMenamin, | Rooney, | Stiefel, |
| Ehrgood, | Miller, | Ruth, | Weiner, |
| Kalman, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2317—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Confair, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2327—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2402—Read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON, by unanimous consent, offered the following amendments:

Amend Title, page 2, second line of Title, by inserting after "laws": "removing in certain cases and"; Amend Title, page 2, second line of Title, by inserting after "changing": "in certain cases"; Amend Sec. 1 (Sec. 701-A), page 2, line 5, by inserting a bracket before "not"; Amend Sec. 1 (Sec. 701-A), page 2, line 6, by striking out the bracket before "fifteen"; Amend Sec. 1 (Sec. 701-A), page

2, lines 6 and 7, by striking out "twenty-five thousand dollars (25,000)"; Amend Sec. 1 (Sec. 701-A), page 3, line 2, by inserting after "annually": "In the case of boroughs or townships either of which have a population of less than two thousand five hundred persons, such indebtedness shall not exceed twenty-five thousand dollars (25,000)."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

HB 2413—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 2430—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarrafi, | Weiner, |
| Elliott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2440—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarrafi, | Weiner, |
| Elliott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2441—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Keller, | Mullin, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr., | Propert, | Wade, |
| Chapman, | Kromer, | Rooney, | Wagner, |
| Confair, | Lane, | Ruth, | Walker, |
| Ehrgood, | Madigan, | Seyler, | Watkins, |
| Elliott, | Mahady, | Shafer, | Weiner, |
| Flack, | Mallery, | Silvert, | Whalley, |
| Fleming, | McCreesh, | Stevenson, | Wolfe, |
| Harney, | McGinnis, | Stiefel, | Scott, |
| Kalman, | Miller, | | Presiding Officer |

NAYS—2

Hays,

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2443—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. RUTH, by unanimous consent, on behalf of Mr. Weiner, offered the following amendments:

Amend Title, page 2, last line of Title by inserting after "amendment": "and regulating disbursements from appropriations made to the Department of Military Affairs, imposing duties on the State Veterans Commission and the Deputy Adjutant General in charge of Military Affairs"; Amend Bill, page 5, by inserting between lines 2 and 3:

"Section 2. Section 1411 of the act, amended November 10, 1959 (Act No. 513) is amended by adding at the end thereof a new clause to read:

"Section 1411. State Veterans Commission.—The State Veterans Commission shall have the power, and its duty shall be:

"* * *

"(e) To certify for payment gratuities for the children between the ages of sixteen and twenty-one years of totally disabled veterans and of soldiers, marines, female clerks, yeomen (female) or members of the enlisted nurse corps of the United States who die or have died or Spanish American War or World War service connected disabilities and of totally disabled veterans and of members of the armed forces of the United States and of women's organizations officially connected therewith who in Korea service connected disabilities as certified from veterans administration records. Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application was filed. Certification by the State Veterans Commission shall be made when the children meet the following requirements.

"(1) As coming within the class of children described above.

"(2) As attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education, business school, trade school, hospital providing training for nurses school

or institution providing courses in beauty culture, art, radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans Commission and

"(3) As being unable without such gratuity to pursue his or her education or training. Payments not exceeding two hundred dollars (\$200) per semester per child shall be made to such institution upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees, tuition, board, room rent, books and supplies for such children in a definite amount for the school year. Such proof shall be submitted to the State Veterans Commission which shall attach the same to the requisitions prepared for payments out of appropriations made for such purpose

"When a child within the class of children eligible to receive a gratuity authorized by this section is completing an educational or training course and becomes twenty-one years of age before completing the course the gratuity may be paid until the course is completed: Provided, That gratuities may not be paid for any child for a longer period than four scholastic years"; Amend Sec. 2, page 5, line 3 by striking out "2" and inserting: "3"; Amend Sec. 2, page 5, line 3 by inserting after "effect": "immediately except the provisions relating to budgets set forth in section 1 of this act which shall take effect".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. RUTH.

HB 2457—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr., | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DISilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarra, | Weiner, |
| Elllott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING POSTPONED

SB 113, 351 and 381—Without objection the bills were called up from the Postponed Calendar by Mr. BERGER. Upon motion of Mr. BERGER, seconded by Mr. PECHAN, and agreed to, the bills were dropped from the Calendar.

REQUEST FOR RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Caucus Room on the first floor.

The PRESIDING OFFICER. The Chair wonders if the Senator will yield for a moment? I understand there are some Reports from Committee at this time.

Mr. BERGER. Mr. President, as the Chair knows, we deferred the regular order of business until completion of the Calendar, which we are still on. If there is unanimous consent for the Reports from Committees, as I am sure there will be, and if they will in no way interfere with the business we established at the opening of this Session, then I will have no objection.

The PRESIDING OFFICER. The Chair is of the opinion that if unanimous consent is requested by a Senator to make a report from committee at this time, the report will be accepted and that will in no way interfere with the previous agreement that we would revert to the regular order of business later on in today's Session.

REPORTS FROM COMMITTEES

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 2048** and **HB 2323**, as amended.

Mr. SHAFER, by unanimous consent, from the Committee on Judiciary General, reported, as amended, **HB 648**.

PARLIAMENTARY INQUIRY

Mr. MAHADY. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Mahady, will state it.

Mr. MAHADY. Mr. President, I would like to make inquiry as to when the Judiciary General Committee met.

The PRESIDING OFFICER. I will answer the gentleman's question, not in the capacity of the Presiding Officer, but in my capacity as Chairman of the Judiciary General Committee.

The Judiciary General Committee did not meet. A number of the members of the committee were polled on this particular bill. It was decided to bring it out for the consideration of the Membership of the Senate as a whole. I do not know whether the particular Senator was asked for his views on it or not.

Mr. MAHADY. Mr. President, for the record, no one on this side of the aisle was polled on that bill.

REPORTS FROM COMMITTEES

Mr. KELLER, by unanimous consent, from the Committee on State Government, reported, as committed, **SB 331**.

Mr. KOPRIVER, JR., by unanimous consent, from the Committee on Local Government, reported, as committed, **HB 927**.

RESOLUTION REPORTED FROM COMMITTEE

Mr. BERGER, by unanimous consent, from the Committee on Rules, reported without amendment, House Concurrent Resolution No. 124, entitled:

INSTALLATION OF FISHWAYS AT DAMS IN SUSQUEHANNA RIVER WITH COOPERATION OF STATE OF MARYLAND

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

REPORT OF COMMITTEE OF CONFERENCE

Mr. STEVENSON submitted the Report of Committee of Conference on **HB 762**, which was laid over for printing under the rules.

RECESS

The PRESIDING OFFICER. There being no objection, the Chair now declares a ten minute recess of the Senate for the purpose of holding a Republican Caucus.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

MOTION TO REVERT TO REGULAR ORDER OF BUSINESS

Mr. WEINER. Mr. President, I now move that we revert to the regular order of business from which we departed when we took up today's Calendar.

Mr. BERGER. Mr. President, at the commencement of this Session, I asked and received unanimous consent to omit the regular order of business up to the consideration of today's Calendar and, at the conclusion of the consideration of the Calendar, to revert to the regular order of business. Consequently, I must object to returning to the regular order of business until we have finished the Calendar.

INTERROGATION

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise the Members of the Senate whether, when we revert to the regular order of business, we will remain here until we complete that business?

Mr. BERGER. Mr. President, will the gentleman advise us whether we will sit right through and complete this crucial business which is so vital to the Commonwealth?

Mr. BERGER. Mr. President, I can advise the gentleman that in the interest of the welfare of the Members of the Senate, I will move for a recess until 9:30 o'clock this evening.

Mr. WEINER. Mr. President, I ask that we have a recess of ten minutes for a Democratic Caucus, to be held in the rear of the Senate, in the "Love Nest."

The PRESIDING OFFICER. At the present time, Senator Weiner, there is a motion on the floor, a motion which was put by you, that we revert to the regular order of business. Will you withdraw your motion?

MOTION TO REVERT TO REGULAR ORDER OF BUSINESS WITHDRAWN

Mr. WEINER. I will withdraw my motion, Mr. President.

RECESS

Mr. WEINER. Mr. President, I now request a ten minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Conference Room at the rear of the Senate.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 63—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 117—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 203—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 317—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 853—Read at length the second time,
On the question,

Will the Senate agree to the bill on second reading?

Mr. SEYLER offered the following amendments:

Amend Sec. 1, page 2, lines 1 to 15, by striking out all of said lines; Amend Sec. 2, page 2, line 16, by striking out "2" and inserting: "1"; Amend Sec. 2, page 2, line 17, by striking out "of the"; Amend Sec. 2, page 2, line 17, by inserting after "act": "of March 10, 1949 (P. L. 30), known as the 'Public School Code of 1949,'"; Amend Sec. 3, page 4, line 14, by striking out "3" and inserting: "2".

Amend title, page 1, sixth and seventh lines of Title, by striking out "the determination of reimbursement amounts and."

On the question,

Will the Senate agree to the amendments?

Mr. PECHAN. Mr. President, I object to these amendments and ask by colleagues to vote "no."

I might say to Senate Seyler, if I may, that the very same provisions which he is taking out of House Bill No. 853 appear in House Bill No. 2173. Tomorrow afternoon, we are meeting with the House Members, in a Conference Committee, on that very same subject. I presume their objection to House Bill No. 2173, when they did not concur in our amendments, was in regard to the provisions which the gentleman wants to delete from House Bill No. 853.

In view of the fact that we have such a short time, I would suggest that this bill be read for the Second Time and if Senator Seyler wants to introduce his amendments tomorrow, he will receive no objection from this side. We certainly will not object to his offering of amendments, but whether or not we accept them is another thing.

Mr. SEYLER. Mr. President, is the gentleman offering me a good reason for deferring my amendments until tomorrow, or is he saying that tomorrow I may get a few more votes for them than I will today?

Mr. PECHAN. No, Mr. President.

Mr. SEYLER. Mr. President, the gentleman's deal does not sound very promising.

Mr. PECHAN. I am not making any deal, Mr. President.

Mr. SEYLER. Mr. President, since I am not being offered any inducement, I think I would like to have the amendments voted on today.

I would like to say, in defense of the amendments, that it is my understanding that with the amendments which are presently in the bill, which these amendments would take out, and which amendments were placed in the Senate, it is my understanding, from discussing this with the Department of Public Instruction and with other persons who work in this area, that if these amendments do not go through and if the amendments placed in the bill by the Senate remain, it will have the effect of having school districts building elementary buildings of six rooms, or larger, reimbursed for something which they do not do. By that I mean to say that upon the recommendation of the State Council of Education, buildings with six rooms are also requested to have a room which is called an all-purpose room, to be used for a gymnasium, auditorium, cafeteria. As an inducement to this, we have, by legislation, reimbursed districts which provide such rooms.

As I understand the effect of the bill, as it stands at present, if a school district builds the room or if it did not build the room, it would still receive reimbursement as though it had. It seems to me this is manifestly not the intention of the Legislature. If the gentleman would want to offer an amendment which would cut out such reimbursement, I could follow him. However, I would not necessarily agree with him, but I could follow him.

It is my understanding, from my discussions with the department and also with members of the School Directors Association, that the effect of this bill would actually be to reimburse school districts for something they did not do. It would be giving them an additional reimbursement beyond the six-room building they construct, even though they did not choose to follow the recommendations of the State Council of Education and build the additional room.

At least, Mr. President, I think that if the gentlemen do not wish to go along with these amendments, they should perhaps pass this bill over temporarily or something, in order to ascertain the truth of that statement themselves. Surely, it cannot be the intent of such a sound and reasonable thinker as Senator Pechan—one who is as interested in the welfare of the schools as Senator Pechan—to have the Commonwealth reimburse school districts for something they do not build.

Therefore, Mr. President, I would urge my colleagues on both sides of the aisle to either support these amendments to remove this, or else to pass this bill over in its order long enough for them to find out for themselves the truth or falsity of the statement I am making, which I have on very good authority.

Mr. PECHAN. Mr. President, I will take the "or else" about which the gentleman spoke and we will put the bill over in order.

This evening, when we come back, I hope that Senator Seyler and I can sit down and go over this matter. I think the gentleman has been misinformed, because I have some figures. I am just trying to cut down the cost of school buildings. When you want a six-room school building, why should another room be built when there is no need

for it? However, I would suggest that the gentleman and I sit down and discuss it.

I am getting hungry and I am getting a headache, just as Senator Seyler had a little while ago. Therefore, let us not prolong this discussion. I will agree that this bill go over in its order.

Mr. SEYLER. Mr. President, the gentleman has now made me an offer which I can cheerfully accept.

I would like to say to the gentleman that the same persons, who informed me of the information which I gave him before, tell me that this bill will not save one penny in reimbursement from the Commonwealth. It is my information that it will not save us one penny.

Therefore, Mr. President, I will be glad to accept the gentleman's offer and I will ask that this bill go over in its order, with the amendments, for consideration whenever we return to this subject.

The PRESIDING OFFICER. I think, Senator Seyler, that the orderly way to do it would be for you to withdraw the offering of your amendments at this time, and then have Senator Pechan make a request that the bill go over in its order.

Mr. SEYLER. Mr. President, I realize that the amendments have not been adopted. Therefore, I am just as willing to have them returned to me because I will not be losing anything thereby.

AMENDMENTS WITHDRAWN

Mr. SEYLER. Mr. President, I, accordingly, withdraw my amendments at this time.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BERGER. Mr. President, I request that this bill, on second reading, go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

HB 866—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1057—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1108—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 1272—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. PECHAN and PROPERT offered the following amendment:

Amend Sec. 1 (Sec. 3), page 2, line 12, by inserting after "taxes": "on real estate."

It was agreed to.

The section was agreed to as amended.

The second and third sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HB 1380—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

HB 1616 and 1909—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

HB 2209—Upon motion of Mr. PECHAN, second by Mr. BERGER, and agreed to, the bill was re-referred to the Committee on Appropriations.

HB 2386 and 2388—Upon motion of Mr. PECHAN, seconded by Mr. BERGER, and agreed to, the bills were re-committed to the Committee on Rules.

HB 2397 and 2399—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

HB 2400—Read at length the second time,
On the question,
Will the Senate agree to the bill on second reading?
Mr. RUTH offered the following amendments:

Amend Sec. 1 (Sec. 410), page 2, line 5, by striking out "shall" and inserting: "may"; amend Title, page 1, next from last line of Title, by striking out "requiring" and inserting: "authorizing."

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I object to these amendments, and request my colleagues to vote "no" on them. This bill is intended to require the Department of Highways to place receptacles for rubbish along the highways.

First of all, we have levied a large fine for discarding rubbish, and we are now unwilling to require our Department of Highways to provide receptacles for the trash.

I think the amendments are not good, and request my colleagues to vote "no."

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative, and the amendments were not agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

HB 2449—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING POSTPONED

SB 764—Without objection, the bill was called up from the Postponed Calendar by Mr. PECHAN. Upon motion of Mr. PECHAN, seconded by Mr. BERGER, and agreed to, the bill was dropped from the Calendar.

INTERROGATION

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Armstrong, Senator Pechan.

The PRESIDING OFFICER. Will the gentleman from Armstrong, Mr. Pechan, permit himself to be interrogated?

Mr. PECHAN. I will, Mr. President. I will do it for Senator Lane.

Mr. LANE. Senator Pechan, I observed that you recommended the General State Authority Bill. Do you propose to have the Rules Committee report this bill back to the floor?

Mr. PECHAN. Yes, with amendments.

Mr. LANE. Do you know what the amendments are or would you tell me?

Mr. PECHAN. I do not think I would even tell you if I did know.

Mr. LANE. What is it, a highly classified Republican secret?

Mr. PECHAN. No, Mr. President. The bill was reported from committee to save a legislative day. We have not had a chance to study it. The Committee on Rules is going to do that, and then amendments will be offered, which we feel will be acceptable to the fifty Senators on this floor.

Mr. LANE. Did you say "study" or "emasculate"?

Mr. PECHAN. Do not put words in my mouth. I would not know how to spell "emasculate."

COMMUNICATIONS FROM THE GOVERNOR APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 1227**.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

December 15, 1959.

To the Honorable the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon C. Nurock, 324 Radcliff Street, Bristol, Bucks County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Louis C. Spring, Bristol, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jane Frawley (Democrat), 428 State Street, Towanda, Bradford County, for appointment as a member of the Bradford County Board of Assistance until December 31, 1962, and until her successor is duly appointed and qualified, vice Rev. Peter J. Alisauskas, Towanda, resigned, to compute from January 1, 1960.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

Athanasios Koumoundoureas, 542 Main Street, Edwardsville, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Edwardsville, Luzerne County, to serve until the first Monday of January 1962, vice Andrew Drust, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frieda K. Foose, Mounted Route, Enola, Cumberland County, for reappointment as Justice of the Peace in and for the Township of Silver Spring, Cumberland County, to serve until the first Monday of January 1962, to compute from January 4, 1960.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 1195**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO **HB 1195**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 1977**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO **HB 1977**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 2117, 2118, 2119, 2444, 2459** and **2463**, which were referred to the Committee on Rules.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 2268**, which was placed on the Calendar.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 773**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be placed on the Calendar.

HB 2150 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 2150**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO **HB 2150**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. PEHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE USE OF THREE MEMBER BOARDS OF ATTORNEYS—ARBITRATORS

Mr. MAHADY, by unanimous consent, offered the following resolution (Serial No. 124), which was read as follows:

In the Senate, December 15, 1959.

Whereas, There has arisen a widespread use of three member boards of attorneys—arbitrators to hear and decide civil claims up to \$2,000, and

Whereas, In Allegheny County the estimated cost of such a system is between \$75,000 and \$100,000 per year; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to make a study of the use of such three member boards of attorneys—arbitrators and the cost thereof as well as the feasibility of additional law judges hearing such claims without a jury and the comparative cost thereof; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Mr. MAHADY. Mr. President, I wish to say a few words on this resolution. I wish to offer for the record an editorial from the Pittsburgh Press, showing that the cost of arbitration in Allegheny County, where three attorneys volunteer to act as a board of arbitration, is very high. Therefore, I feel that the Joint State Government Commission should study whether or not additional judges, hearing the same without a jury, would not be less expensive and more efficient.

In our county, it is considered a burden by the attorneys and it is something that is loathed. It costs seventy-five dollars sometimes for a one-half hour hearing. A judge, sitting without a jury, could run through innumerable cases in a day and at much less cost. That is why I am asking for this study.

The PRESIDING OFFICER. At the request of the gentleman from Westmoreland, Senator Mahady, the editorial will be spread upon the Legislative Journal.

EDITORIAL FROM PITTSBURGH PRESS

Arbitrating Small Claims

The County Court here, by authority of a new state law, is clearing the way for the use of three-member boards of attorney-arbitrators to hear and decide on civil claims of up to \$2,000. The plan will be put into effect if the new Board of County Commissioners approves the annual financial outlay of \$75,000 to \$100,000 which would be needed to cover administrative costs and fees of the arbitrators.

Arbitration of small claims is already being successfully employed in more than 40 of the state's 67 counties where it had been previously authorized. In Philadelphia the system has been especially useful in reducing the backlog of the Municipal Court. Special acts were required to institute arbitration in Philadelphia, and now in Allegheny County, because these two metropolitan areas already had lower courts for handling small claims. As the volume of cases grew, however, the Municipal Court in Philadelphia and the County Court here became unable to cope with them.

No doubt arbitration will help the Allegheny County Court to keep its docket current. And in this respect it will be a welcome innovation. But the courts and the public should not be allowed to forget that an extra-judicial device is being used as a substitute for what should be a regular judicial function. Arbitration should be acceptable as a short-term remedy for clogged calendars. But it should not obscure the effort, represented by the court-administrator legislation now pending in Harrisburg, to modernize the courts and make them more efficient. Moreover, it should be remembered that the use of arbitration does nothing about the mountain of untried cases in the Philadelphia and Allegheny County Common Pleas courts where most of the cases involve claims exceeding the maximum arbitration limit.

The PRESIDING OFFICER. The resolution offered by Senator Mahady is referred to the Committee on Rules.

BILL INTRODUCED AND REFERRED

Messrs. BERGER, KALMAN and MULLIN, by unanimous consent, presented to the Chair SB 1273, entitled:

An Act amending the act of May 5, 1933 (P. L. 364), entitled "Business Corporation Law," fixing the amount all cemetery and burial corporations must set apart for perpetual care and preservation of the ground and buildings.

Which was committed to the Committee on Rules.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 9:30 o'clock p. m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 9:30 o'clock p. m.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 900, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being intro-

duced, informed the Senate that the House insists upon its nonconcurrence in Senate amendments to HB 900, and has appointed Messrs. STANK, KAMYK and Mrs. DONAHUE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HB 900

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to HB 900, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCURRENCE IN AMENDMENTS TO HB 1472, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to HB 1472, and has appointed Mr. EILBERG, Mrs. PASHLEY and Mr. KEE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HB 1472

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to HB 1472, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO HB 2431, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to HB 2431, and has appointed Messrs. MIHM POLEN and BOWER as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HB 2431

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to HB 2431, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REGULAR ORDER OF BUSINESS RESUMED

The PRESIDING OFFICER. The Senate will now revert to the regular order of business of today's Session.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert L. Buchanan, 133 Otter Street, Franklin, Venango County, for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

June 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carroll F. Hockersmith, Shippensburg, Cumberland County, for appointment as a member of the Pennsylvania Game Commission, from November 5, 1958, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA GAME COMMISSION

February 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified:

Russell M. Lucas, 112 Seventh Street, Philipsburg, Centre County.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

April 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Board of Osteopathic Examiners, from June 21, 1957, for the term of four years, and until their successors shall have been appointed and qualified:

John W. Shirer, Pittsburgh, Allegheny County.

David Rothman, Oxford, Chester County.

Ben L. Agresti, Erie, Erie County.

Harvey C. Orth, Lewistown, Mifflin County.

DAVID L. LAWRENCE.

MEMBER OF THE STUDY COMMISSION OF THE PHILADELPHIA METROPOLITAN AREA

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Carson, 330 South State Street, Newtown, Bucks County, for appointment as a member of the Study Commission of the Philadelphia Metropolitan Area, until terminated, vice John D. Dougherty, Bristol.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF NURSE EXAMINERS

December 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Olivia L. Barres, Reading Hospital, Reading, Berks County, for reappointment as a member of the State Board of Nurse Examiners, for a term of six years, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF ADVISORY COMMITTEE TO STATE COUNCIL OF EDUCATION

November 30, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Noblit (Educator) Principal, Makefield Elementary School, Makefield Road, R. D., Yardley, Bucks County, for appointment as a member of the Advisory Committee to State Council of Education, until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE TIOGA COUNTY BOARD OF ASSISTANCE

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Madelyn Weidman (Democrat), Westfield, Tioga County, for reappointment as a member of the Tioga County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, to compute from January 1, 1960.

DAVID L. LAWRENCE.

MEMBER OF THE REAL ESTATE COMMISSION

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl E. Shields, Butler, Butler County, for appointment as a member of the State Real Estate Commission, from June 21, 1957, until September 25, 1961, and until his successor has been appointed and qualified.

DAVID L. LAWRENCE.

SENATE RESOLUTION**CONDOLENCE OF THE SENATE EXTENDED TO THE FAMILY OF THE LATE THEODORE BLUMBERG**

Mr. WEINER offered the following resolution (Serial No. 93), which was read, considered and adopted:

In the Senate, December 15, 1959.

Mr. Theodore Blumberg, one of Pennsylvania's most public spirited citizens passed away last week and the people of this great Commonwealth will unquestionably miss him.

At the time of his death, Mr. Blumberg was a member of the Delaware River Bridge Commission, a position to which he was recently appointed by Governor Lawrence. As all the other members of the commission will attest, Mr. Blumberg's efforts will be greatly missed.

Mr. Blumberg was an industrialist in Philadelphia and it was because of him that many new industries were brought into the State. He was active in the Democratic party, but members of both parties often sought his advice.

We, the members of the Senate deeply mourn Mr. Blumberg's death; therefore be it

Resolved, That the Senate of Pennsylvania extend to the family of Mr. Theodore Blumberg our deepest sympathy and profound gratitude for the excellent job he did for our State prior to his untimely death; and be it further

Resolved, That a copy of this resolution be forwarded to his widow in Philadelphia.

SENATE CONCURRENT RESOLUTION

RECALLING SB 1250 FROM THE GOVERNOR

Mr. STIEFEL offered the following resolution, which was read as follows:

In the Senate, December 15, 1959.

Resolved (if the House of Representatives concur), That Senate Bill No. 1250, Printer's No. 1604, entitled: "An Act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf," be recalled from the Governor for further consideration.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, this is a recall resolution for further consideration, rather than for amendment or to cure a defect in the bill. I note that the title of the bill is to confer the rank of Brigadier General, Retired, on one of our own Members, George Sarraf, and I am wondering whether Senator Stiefel might want to have this laid upon the table until we can find out more about it.

The PRESIDING OFFICER. Is the Chair to understand, Senator Berger, that you object to the immediate consideration of this resolution?

Mr. BERGER. I do, Mr. President.

The PRESIDING OFFICER. The Chair hears objection. The resolution will be laid on the table.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON FINANCE FROM FURTHER CONSIDERATION OF HB 1593

Mr. LANE offered the following resolution, which was read as follows:

In the Senate, December 15, 1959.

Resolved, That House Bill No. 1593, Printer's No. 1320, entitled "An act amending the act of May 21, 1931 (P. L. 149), entitled, as amended 'An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; im-

posing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties and making an appropriation,' increasing the permanent State tax," having been referred to the Committee on Finance on August 19, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. LANE. Mr. President, the primary reason for offering this discharge resolution, at this particular time, is that we of this Administration feel that we need additional funds to finance our highways. We have had a number of meetings. As a matter of fact, we had a dinner meeting at the hotel at which a number of the leaders were present.

The opposition has been advocating the passage of legislation which would penalize the residents of Pennsylvania by adding an additional five dollars on to the fee for plates. We feel that out-of-State motorists pay thirty per cent of the gasoline tax. We need the money and, therefore, we felt that this committee should be discharged from further consideration of this legislation because it will be for the best interest of all of the people of Pennsylvania.

Mr. BERGER. Mr. President, I will ask my colleagues to vote "no" on this resolution. I do not feel that it was exactly necessary to refer to the meeting at dinner, which we had and which was very pleasant, when we were the guests of Senator Lane, at which a number of members of the administrative arm of the government were present. However, as long as Senator Lane has referred to it, Mr. President, I might say that the impression I gained from that meeting was that it was not of too much consequence to the Department of Highways whether they received the money that they said they needed from the registration increase or from the one cent gasoline tax.

I would, therefore, ask my colleagues to vote against this discharge resolution.

Mr. LANE. Mr. President, I did not mean to infer any criticism of the meeting, because I enjoyed the fellowship which existed at that particular meeting. However, I do believe that the executives of the Department of Highways certainly spelled out their problems in detail.

If the Republican Majority is sincere in its efforts to assist in bringing new industry to Pennsylvania, we should have new highways, and they know that just as well as I do. They are not too sincere when they advocate the increase in license fees because they know that is a political move. They know very well when they advocate the increase in license fees, those who receive the increase will blame this Administration. They realize that we need the money to finance our highways. If we do not have the money, we are going to lose a lot of Federal money because we will not be able to match those funds. It was purely a political move on their part.

I think they will agree, if they are honest with me, that they know very well that at that time the executives explained in detail the number of States that had increased their gasoline taxes, and Pennsylvania is far behind New York and Ohio. As a matter of fact, the total gasoline tax in the State of Ohio is now eleven cents per gallon. The same applies to New York. Here in Pennsylvania, we have four times the highways which the State of New York has,

which are sustained and controlled by the State of Pennsylvania.

If Senator Berger and the Republican Majority are sincere at this late date, they will agree to the discharge of this committee. We should bring this legislation to the floor so that we can debate it in detail.

Senator Pechan, I hope you vote with me.

Mr. BERGER. Mr. President, I have never gained the impression from any source, either from the Democratic or Republican side, that an increase in taxation of any kind, whether it be through a registration fee or an increase of one cent in the gasoline tax, would be an inducement to industry to locate in Pennsylvania.

Mr. LANE. Mr. President, in my meetings with those who represent industry, one potent factor is good transportation and good highways. The second is public utilities, and the third is a good labor force.

Without good highways in Pennsylvania, we are not going to have additional industry. I believe that those who work with industrial development will agree with me that there are three things; good highways and good transportation, public utilities, and a good, intelligent labor force. We must have good highways in order to entice industry into Pennsylvania.

Mr. MAHADY. Mr. President, I want to draw to the attention of this Body that even if we had the additional one cent tax, we still, in the long run,—and speaking of a long range plan— would have an inadequate long range plan.

There is no question about the merit of the additional one cent gasoline tax, because those who use the roads pay for them. However, I would like to draw to the attention of this Body the seriousness of this problem. In this State, we have 41,700.72 miles in the State road system. Of that, there are 5,233.6 miles which are unpaved surface. Of that, there are 6,650 miles which merely have a light coat. In other words, they are made only for very light traffic. If you take this number of miles, which is 41,700, and using the figure that there are 4,000,000 automobiles and trucks,—there being 3,506,224 passenger cars and 589,045 trucks—and you take the average length of them and try to park them on that system, divide it yourself and see whether you can park all of those cars on the State road system.

When we see that this is growing every day and our population is growing, are we to be so shortsighted and so politically-minded that we will say that if we cannot have a small amount of money by using an embarrassing system whereby our own people pay for the roads even though outsiders use them, then, of course, you will vote against this discharge resolution? However, if you intend to keep this one of the foremost States in the union, then it is incumbent upon us to lay the groundwork that will permit this to be so.

There is one individual—I will not say he is a stubborn individual, but a man who likes to be shown and usually deals in figures—who has convinced the Members on the other side of the aisle that this money could not be used. That is contrary to facts. The money can be used. Not only can it be used, but we must gear our Department of Highways to such a degree that we can meet the demands of the next ten years upon us and that we will not be a backward State as far as roads and transportation are concerned. Only by having an adequate amount of money to gear the highway program for the next ten years to the

increased population of the State will we be able to maintain the leadership of the Commonwealth of Pennsylvania.

Mr. LANE. Mr. President, I ask for a roll call on this resolution.

Mr. ROONEY. Mr. President, I would like to say at this time a few words about the discharge resolution that was just introduced.

I have seen my colleagues from the other side of the aisle on many occasions rise and talk about the splendid highway program that we have in Pennsylvania. However, at the same time, I have talked with the Governor and our Secretary of Highways on many occasions about the great program in which we can participate within the next twelve years under Federal matching funds. This is the only program in Pennsylvania where we can buy one dollar for every dime that we invest. We have to, within the next twelve years under this program in Pennsylvania, come up with \$25,000,000. If we come up with \$25,000,000, we will share in Federal highway funds amounting to \$3,000,000,000.

On many occasions, I have seen and heard Senator Confair talk about the great Keystone Shortway. Well, if we are going to have the great Keystone Shortway and other numerous Federal interstate highway programs in Pennsylvania, we are going to have to arrive at a realistic tax program. At the same time, in this twelve year program with a one penny increase on the tax on each gallon of gasoline, we, in Pennsylvania, will have to share sixty-six cents of each dollar that we contribute. That is all because other out-of-State residents, Senator Ehrgood, who are traveling to and from various parts of this Country, will share in this tax.

As far as the increase in registration is concerned, and as far as the increase in the license fee is concerned, it is purely politics. I think it is time we come to the realization that we, as leaders in this Legislative Body of this State, must assume a tax program and, at the same time, let out-of-State residents participate in some of the excellent facilities of the highway program that we have in this State.

Mr. WEINER. Mr. President, I believe that the hypocrisy or the equivocation of the position taken in regard to this program is readily apparent when we understand that one of the oil companies, which has been fighting this tax and which has put out propaganda against it, raised the price of its own gas by one penny. When their competitors put pressure upon them, they took off the penny. Yet this very same company, which showed a tremendous profit for the past year in the public statement issued, is the same one which protested against the additional one penny tax for the purpose of providing better highways and also for the State to take advantage of the Federal funds.

I wonder how that gentleman from Williamsport is going to report back to the people in his District. His platform has been in favor of building the Keystone Shortway. His talk here has been on the Keystone Shortway. However, I ask him here, what has he done to produce the necessary money to provide the sinew that will put together the program he has talked about and on which he has run? I have heard him say nothing about this program. I have heard him come to no conclusion about this, except a lot of talk which has not been translated into votes. I think that in order for him to carry out the promise made

to the people in his District—unless, of course, he does not want to carry out that promise—he should get behind this program and also join us in discharging this committee from further study of this bill.

The PRESIDING OFFICER. Senator Lane has requested a roll call vote. Is there a second request?

Mr. SEYLER. Mr. President, I also request a roll call.

Mr. BERGER. Mr. President, before calling the roll on this matter, I feel it incumbent upon me to say something about the word "hypocrisy," which has been mentioned here in connection with this subject.

It has been urged upon us that we should pass this additional one cent gasoline tax, first, because it is difficult to meet the Federal commitments on the Federal interstate and defense system. Mr. President, that costs the State one dollar for every nine dollars of Federal money. I believe I am not in error when I say that the total amount that they intend to spend during the next biennium is \$160,000,000. Then they say they cannot take care of the 100 per cent State maintained system on which they have to pay all of the costs.

Mr. President, this Commonwealth of Pennsylvania has never failed to meet its commitments with the Federal Government, not only on this new Federal interstate program, but it has never failed to meet its commitments on the fifty per cent primary system, and it has never failed to meet its commitments on the secondary system.

However, Mr. President, the thing which impresses me is that there has never been one bit of objection made by the Highways Department. In fact, it has been urged upon us that we should take over new mileage in the city of Philadelphia and new mileage in the county of Allegheny, without any increase in the gasoline tax in Pennsylvania.

Therefore, Mr. President, I say that it has not been demonstrated that this one cent increase is needed to maintain the State highways of Pennsylvania.

Mr. LANE. Mr. President, I would like to clarify a slight distortion. In the event that the Commonwealth of Pennsylvania, Department of Highways, takes over any road mileage, either in Allegheny or Philadelphia County, those particular counties lose that proportionate share of the liquid fuels' tax, and that reverts to the Motor License Fund.

Let us get that clear. Every county in Pennsylvania that has any road mileage receives a reimbursement from the Liquid Fuels' Tax Fund. They lose that when they lose their mileage. That would revert to the Department of Highways for the maintenance and construction of those roads.

Mr. WEINER. Mr. President, I think one other point should be cleared up as well. I think if all of us will objectively examine where the funds which fill the coffers of the highway fund come from, you will find that the principal sums come from counties such as Philadelphia and Allegheny. You will also find that the proportion to what they receive is mighty small, and they have never received their fair share and apparently never will, unless the make-up of this Body changes in the sense that the Members who live in the rural areas are constantly getting not only their fair share, but more than their fair share. The only thing the city of Philadelphia and Allegheny County have always asked for is at least their proportionate share, which they have never received.

Mr. BERGER. Mr. President, I can agree 100 per cent

with the Minority Leader that when the complexion of this Body changes, then most certainly the distribution of highway funds will be greatly different than it is now under the present system. It will not be distributed on the basis of sixty per cent mileage and forty per cent population. It will be distributed on a far different ratio, because they have been after that for a long, long time. The only reason that the rural highways are in business is because the complexion of this Senate has not changed. It is still Republican and represents the 100 per cent State maintained highway system.

Mr. LANE. Mr. President, I would like to make another correction on another slight distortion. There are two particular funds as far as the liquid fuels' tax is concerned. In regard to counties, each county receives one-half of one cent of the gasoline tax. That money is used for the construction and maintenance of roads and bridges. Then you have a fund which is applicable to cities, boroughs and townships. Senator Berger is talking about the sixty-forty. That is correct.

The question of Allegheny and Philadelphia counties was brought up. They receive one-half of one cent of the gasoline tax, which is distributed to all of the counties in Pennsylvania. The idea behind that is that it is distributed on a population basis only. Therefore, that is what they use for their roads and their bridges. That is the fund which Auditor General Smith raises so much fuss about every once in awhile.

Mr. WADE. Mr. President, may I just very briefly point out some facts in connection with this resolution to discharge the Finance Committee from further consideration of this bill, increasing the gasoline tax by one cent or twenty per cent of the present gasoline tax?

Last biennium, the highway funds available for expenditure by the Highways Department totaled some \$886,000,000. This biennium, according to the best figures that are obtainable and checked by reliable sources, we will have a total of \$913.7 millions of dollars, which is an increase of 13.5 per cent without any new taxation.

Let me also verify the statement made by Senator Berger just a few moments ago on this subject regarding the fact that this Commonwealth has never lost a single penny of Federal matching funds. Never have we lost a single penny on the fifty-fifty basis or on any other basis, including the interstate basis of ninety-ten.

Last year we were electing a Governor. The Department of Highways let contracts, between January 1 and September 20, to the extent of \$127,000,000. This year, for the same period, they have only let contracts to the extent of \$29,000,000. I do not say that the reason that we were so liberal in letting contracts last year was the fact that we were electing a Governor. However, it could be so.

We have had three Highways Secretaries in less than five years. Certainly it takes a man a long time to become familiar with the great operation, as it has been pointed out, of over 41,000 miles of roads, as well as the necessary bookkeeping, administrative duties and the carrying out of the operation of such a department. Mr. Lawler and Mr. Stevens just became thoroughly familiar—if my experience is of any value—with the duties incumbent upon them when they left the office.

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. Will the gentleman yield for a minute?

Mr. WADE. I will, Mr. President.

The PRESIDING OFFICER. The Chair recognizes Senator Weiner. For what purpose does the gentleman rise?

Mr. WEINER. Mr. President, I do not want to be rude and interrupt the gentleman. I merely want to point out, for the purpose of the record, that the gentleman is rather far afield, and I am not objecting to it. However, I also want him to bear this in mind when later on we try to answer some of the statements being made by the gentleman.

The PRESIDING OFFICER. The Chair is of the opinion that the debate on this particular discharge resolution has gone far afield in a number of instances. The Chair will allow the gentleman from Cumberland to continue with the understanding, of course, that the gentleman from Philadelphia will be entitled to answer.

Mr. WADE. Thank you very much, Mr. President.

I would like to conclude the short statement I was about to make by saying the sooner this Legislative Body gets around to passing legislation creating a highways commission where we will have continuity of management, the sooner, I think, we will arrive at a place where we will feel justified to place additional funds in the hands of the Department of Highways.

As has been brought out by Senator Lane and others, our current tax rate on liquid fuels is five cents. We immediately take one-half of one cent and return it to the counties under the formula. Then we take twenty per cent of the remaining four and one-half cents and return it to all of the municipalities within the Commonwealth on the basis of population and mileage. That formula has worked well. We have a good highway system. We will have an increase of thirteen and one-half per cent without increasing any gasoline tax or liquid fuels' tax. Frankly, in my judgment, that is all of the funds that this Department of Highways is prepared or ready to spend.

And the question recurring,

Will the Senate adopt the resolution?

During the calling of the roll, the following occurred:

POINT OF INFORMATION

Mr. LANE. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Washington, Mr. Lane, will state it.

Mr. LANE. Mr. President, would you tell the Members of the Senate how Senator Confair voted?

Mr. BERGER. Mr. President, I believe that request is out of order. The roll call should be announced before an inquiry on that subject is made.

Mr. LANE. I think the Presiding Officer should determine whether or not it is out of order.

The PRESIDING OFFICER. Is the gentleman asking for a verification of the roll at this time?

Mr. LANE. No, Mr. President. I am asking how Senator Confair is recorded as voting.

The PRESIDING OFFICER. The gentleman is recorded as voting "no."

Mr. LANE. Thank you very much, Mr. President.

The yeas and nays were required by Mr. LANE and Mr. SEYLER, and were as follows, viz:

YEAS—22

Barr,
Camel,
DiSilvestro,
Donolow,
Hays,
Kalman,

Lane,
Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Ripp,
Rooney,
Ruth,

Sarra,
Seyler,
Silvert,
Stiefel,
Weiner,

NAYS—28

Berger,
Blass,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,

Fleming,
Harney,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,

Mallery,
Pechan,
Probert,
Shafer,
Stevenson,
Taylor,
Van Sant,

Wade,
Wagner,
Walker,
Watkins,
Whalley,
Wolfe,
Scott,
Presiding Officer

So the question was determined in the negative and the resolution was defeated.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I am about to offer a discharge resolution and ask for its immediate consideration.

Incidentally, this discharge resolution will determine once and for all the sincerity of the Republican Majority in regard to financing our present school districts.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON FINANCE FROM FURTHER CONSIDERATION OF HB 656

Mr. LANE offered the following resolution, which was read as follows:

In the Senate, December, 15, 1959.

Resolved, That House Bill No. 656, Printer's No. 418, entitled "An act reenacting and amending the act of June 22, 1935 (P. L. 414), entitled as amended 'An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection and lien of the same and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries and court clerks and on persons, copartnerships, associations, banks, national banks, trust companies and other corporations receiving deposits of money and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties and making an appropriation,' by reenacting and clarifying the State personal property tax, increasing the rate thereof and of the corporate loans tax, granting certain additional exemptions and credits and providing for the valuation of stock in certain investment companies," having been referred to the Committee on Finance on June 30, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The PRESIDING OFFICER. The question was raised on the last discharge resolution about some of the Members going far afield. The Chair, at this time, contemplating that there will be additional discharge resolutions offered this evening, would like to read, for the information of the Members, from Section 491 of Mason's Manual of Legislative Procedure:

'It is not in order to discuss the merits of a

bill upon a motion to discharge a committee or withdraw the bill from committee. Debate in such cases must be confined strictly to the purpose of the motion, for if this were not true, the merits of any question could be forced under discussion merely by such a motion."

The Chair, at this time, would caution the Members to attempt, within all possible reasonable limits, to confine their remarks on discharge resolutions to the meaning of Mason's Manual of Legislative Procedure, Section 491.

Mr. LANE. Mr. President, in reference to the resolution which I just offered to the Chair and to the Members of the Senate, I wish to advise that the purpose of submitting this resolution is to inform the public, and especially members of the public school teaching profession, that we now have in our Finance Committee, legislation which would bring about revenue amounting to \$55,000,000, and should we have that revenue, we would possibly be able to finance House Bill No. 1108 to the satisfaction of the members of the public school teaching profession, the school directors and the members of the Parent-Teacher Associations of Pennsylvania.

The Republican Members of the Senate have released to the floor, House Bill No. 1108, to which, I understand, Members on our side have planned to offer amendments. However, there is a question of financing. The Governor has repeatedly stated that if we do not have the money to finance this legislation, he will be forced to veto it.

Therefore, what I am endeavoring to do here today, in reference to this resolution, is to bring out on the floor, for consideration, the tax on personal property or stocks and bonds.

There has been quite a lot of distortion in regard to this particular legislation. I wish to advise the Members that a great portion of the tax will be paid by out-of-State residents, because a lot of our personal property is now exempt from tax here in Pennsylvania.

I had an analysis of this bill prepared some time ago, but I do not have it on my desk. However, if there are any questions as to my statements, I believe I can find this analysis upstairs in my desk in my office.

There has been a distortion in regard to the penalty that might be applied to certain residents of Pennsylvania. It is true that the cities of Philadelphia and Pittsburgh now levy an additional personal property tax. However, most of the counties of Pennsylvania, by law, are limited to four mills on personal property that is not tax-exempt. Should this bring in the \$55,000,000, which I think it will—as a matter of fact, it may not now because we are halfway through the biennium, but it still will bring in sufficient funds to properly finance House Bill No. 1108.

If the Republican Majority is sincere in assisting the members of the public school teaching profession here in Pennsylvania and our various school districts, they will vote "aye" on this resolution to discharge this committee.

While I am on the floor, Mr. President, I want to digress for just a moment or two.

Quite some time ago, I offered a similar resolution and the exact status of this resolution was never properly determined. As a matter of fact, I believe the Majority Party took the position that it was not a privileged resolution and, I believe, the Committee on Rules wrote a white paper in regard to their decision. I have never

heard that white paper read from the floor or from the rostrum. I have always been rather curious in regard to their decision, because I have never had a definite decision as to whether or not a discharge resolution is really a privileged resolution. Perhaps someone on the other side could enlighten me when we get into this debate.

Mr. BERGER. Mr. President, answering only the remarks of the gentleman concerning the decision of the Committee on Rules, to which the problem was referred for decision and from which committee a decision came, the record will show that that was handed to the Presiding Officer of this Senate. I do not recall the date. It was written in detail, and the Lieutenant Governor, to the best of my knowledge, still has in his possession the report of the Committee on Rules, and which decision he has not yet handed down.

Mr. LANE. Mr. President, I desire to interrogate the Majority Leader for just one moment, please, if I may.

The PRESIDING OFFICER. Will the Majority Leader, Senator Berger, permit himself to be interrogated?

Mr. BERGER. If it is germane to the subject, yes, Mr. President.

Mr. LANE. Senator Berger, my question will be germane to the statement which you just made.

Could you advise the Members of this Senate of the political complexion of the Committee on Rules when you made this decision and handed it to the Lieutenant Governor? Were there all Republicans on the committee, or were there any Democrats?

Mr. BERGER. There were Democrats.

Mr. LANE. There were Democrats?

Mr. BERGER. Yes.

Mr. LANE. Did the Democrats concur, with the Republican position in regard to my position that it was a privileged resolution?

Mr. BERGER. Mr. President, in further answering the interrogation of the gentleman, a copy of that decision was also handed to the Minority Leader.

Mr. LANE. Mr. President, I am very sorry to say that the gentleman did not answer my question. I would repeat. Did the Minority Members of the Senate Rules Committee concur with my position that a resolution to discharge a committee was a privileged resolution?

Mr. BERGER. Mr. President, I cannot recall the deliberations of the committee. I only know the result, and that was that a report of the committee was made and handed up.

Mr. LANE. Mr. President—

Mr. BERGER. Mr. President, will the gentleman please yield?

Mr. LANE. I will yield, Mr. President.

POINT OF ORDER

Mr. BERGER. Mr. President, in connection with this present resolution, I must raise a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. Will the gentleman yield?

The Majority Floor Leader has raised a point of order.

Mr. BERGER. Yes, Mr. President, I did.

The point of order is whether or not a resolution, once having been defeated in this Senate upon the same subject and the same bill, may again be introduced and voted upon.

Mr. LANE. Mr. President, I believe if you would check back in the record, I do not believe that my resolution was ever adopted or defeated, because the question was brought up as to whether or not it was a privileged resolution, and I have never seen that white paper. I would like to know the subject matter which the white paper contained. Therefore, the question of whether or not we have offered a prior resolution is not germane to this debate because there was no conclusion.

Mr. BERGER. Mr. President, I have only the history to go on.

Mr. WEINER. Mr. President, I desire to raise a point of order and, perhaps, clarify for the Chair, if I may, the facts as they are contained in regard to the point of order which has been raised.

The PRESIDING OFFICER. The point of order that was raised, to my understanding, is that the Majority Leader questioned whether a resolution, which one was defeated, might again be voted upon under a discharge resolution.

Mr. WEINER. Mr. President, may I respectfully suggest to the Chair that the resolution was not for the purpose of discharge of this measure. The resolution that had been offered, for the discharge of this measure, was objected to by the Majority Leader as to whether or not it was a privileged resolution. It was suggested that it was a privileged resolution. It was suggested that it was a privileged resolution by the gentleman from Washington County, who introduced it.

At that point, it was asked that the resolution lie on the table. It was taken from the table and sent to the Committee on Rules for further action. This Body did not ever vote, in my memory. I may be incorrect. The Journal is being searched at the moment to determine whether we ever voted on this discharge resolution.

The PRESIDING OFFICER. Regardless of the facts, Senator Weiner, in answer to the point of order which was raised by Senator Berger, the Chair knows of no rule which would substantiate the point of order which he has raised.

Mr. BERGER. In other words, Mr. President, I take it the ruling of the Chair is that upon the defeat of this resolution, an identical resolution may then be introduced.

The PRESIDING OFFICER. The Chair is of the opinion that a discharge resolution would be in order.

Mr. BERGER. I thank you, Mr. President.

Mr. President, I wish to point out that in the History of House Bills, under House Bill No. 656, a resolution to discharge the committee from further consideration of this bill was defeated on October 15, 1959, by a vote of twenty-eight to twenty-one.

Mr. LANE. Mr. President, if that is the case, then I would say that the Majority Leader and the Members of the Rules Committee are probably in error if they decided that a discharge resolution is not a privileged resolution. If that is the case, then I take it that a discharge resolution is a privileged resolution at any time. Is that correct?

The PRESIDING OFFICER. The Chair is of the opinion that a discharge resolution is not a privileged resolution.

Mr. LANE. Mr. President, according to the statements of the Majority Leader, some time ago this resolution was acted upon and was defeated by a majority vote. At that time, if you will recall, and I believe you were present,

the argument was that a discharge resolution was not a privileged resolution. I have no recollection of the Senate ever acting upon my resolution. However, if their arguments in regard to my resolution not being a privileged resolution are correct, then, of course, we should not have acted upon the resolution. If their position is incorrect, then their arguments went over like a lead kite.

Mr. President, I ask for a roll call vote on my resolution.

The PRESIDING OFFICER. The Chair has requested that the history of the former discharge resolution be looked into at this time, in order for us to give some clarifying statements before we take a vote on this matter.

Mr. LANE. Then, Mr. President, I presume that we are at ease at this time. Are we now at ease?

The PRESIDING OFFICER. The Senate will be at ease.

Mr. WEINER. Mr. President, the Chair may correct me if I am incorrect, but I do not think that the History is the final word on any one of the bills. I think it is merely an index, just like the Calendar.

The PRESIDING OFFICER. The search, Senator Wiener, is being made in the Legislative Journal.

(The Senate was at ease.)

The PRESIDING OFFICER. First of all, in reply to the gentleman from Washington, Mr. Lane, the Chair would again like to state that it rules that a discharge resolution is not a privileged resolution. The Chair can find nothing, under the rules of the Senate, which would show anything different.

Mr. LANE. Mr. President, do you suppose that your ruling coincides with that of the Rules Committee as contained in their white paper?

The PRESIDING OFFICER. First of all, the Chair knows nothing about a white paper. Second of all, the Chair does not know what the Rules Committee may have decided upon. The Chair is not in a position to answer the gentleman's question.

Mr. LANE. Mr. President, in view of the fact that my resolution is in order, I again request a roll call vote on my resolution.

And the question recurring,

Will the Senate adopt the resolution?

Mr. HAYS. Mr. President, the author of this resolution indicates that this resolution is intended to convey that the purpose of the \$55,000,000 from this personal property tax, or stocks and bonds tax, is for public education. I would like to submit two authorities, who may have some influence on the majority of this Senate on this particular question. The first is none other than the Educational Adviser to President Eisenhower, Arthur S. Flemming, Secretary of Health, Education and Welfare. He terms the United States teachers' pay scale as a disgrace. "A Nation has no right to take advantage of a teacher's willingness to serve," said Secretary Flemming.

About a month ago, a leading merchant in Harrisburg paid money to tell us how she felt about our ability and our willingness to support education. In this paid advertisement, this Harrisburg merchant said:

"Take your choice, Folks!

"\$20 billions annually for Crime

"\$14 billions annually for Education

"\$20 billions a year to keep America from getting worse, and \$14 billions a year to keep Amer-

ica on the road to getting better . . . \$20 billions for Scoundrels and \$14 billions for Scholars . . . More for a jail term than for a college term . . .

She further states in this advertisement:

"America needs more schools and America's teachers need more pay. The only way to get them is for you and me and the folks next door to take a livelier interest in these problems . . . Our democracy functions and flourishes on the principle that a sound, well-balanced education is the birthright of every American child . . . Our existence and progress as a nation are dependent on that education and on those responsible for it in the classroom . . . The teachers and educators of our children are entrusted with the most important job in the world—molding the minds and directing the energies of this generation to give light and leadership to generations to come."

I might say, Mr. President, that as Senators, each of us, each day, has the opportunity, and we probably take it, to say good words about public education. Only two or three times occur during a Session when we have a chance to back up those words with votes. Today, December 15, is one of those days. This resolution is one chance for us to prove our sincerity for public education by voting for the discharge of this committee, so that every Member on this floor may then be recorded on this important issue.

Mr. LANE. Mr. President, I want to just say a few words and then I will sit down. In support of Senator Hays' position, and in my opinion, I might say that I feel that the vote on this resolution will indicate that those who vote in opposition to it are not for proper financing of public education in Pennsylvania. Those who vote for the resolution, I feel, are indicating their willingness to supply the funds to properly finance education in this great Commonwealth of Pennsylvania.

Mr. VAN SANT. Mr. President, I do not wish to prolong this debate, but I would like to point out that in a ruling by the Chair, on October 15, it was ruled that a vote against or for a discharge resolution does not constitute a vote for or against the bill.

Mr. WEINER. Mr. President, I think we have now been over this matter four or five times. If the gentleman will look at a later date, when he asked for the very same ruling, I believe he will find that he was advised that the Chair has no right to grant any inference, either directly or indirectly, on what a vote indicates. I think the vote will stand on its own two feet. I cannot understand how anybody, who does any thinking about any of these problems, can say that if you vote against this resolution, you are really for the bill. I think if you vote against this resolution, you are voting against the bill. That is my interpretation of it. I do not believe that the Chair is in any position to determine what a Member has in mind or what he may want to do, unless he states here what his position is.

Mr. VAN SANT. Mr. President, at this time, I do not wish to read into the record all of the debate which occurred on that occasion. However, I would like to point out that if you will consult the record on pages 4173 and 4174, of the Legislative Journal, dated October 15, you will find that the Chair ruled that a vote for or against the resolution does not constitute a vote for or against

the bill. I admit there was a later ruling, but I think this ruling is a more firm one after the debate which ensued.

The PRESIDING OFFICER. The Chair is of the opinion that a discussion of this matter is out of order at the present time. The only thing before the Senate is the calling of the roll on this resolution.

Mr. EHRGOOD. Mr. President, the Minority Leader seems to be clairvoyant tonight. How he knows the meaning and the tenor of my vote is something beyond me.

Mr. WEINER. Mr. President, I want to correct the gentleman. The Minority Leader is always clairvoyant, not only tonight.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. LANE and Mr. SEYLER, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Miller, | Ruth, |
| Camiel, | Mahady, | Mullin, | Sarraf, |
| DiSilvestro, | McCreesh, | Murray, | Seyler, |
| Donolow, | McGinnis, | Ripp, | Silvert, |
| Hays, | McMenamin, | Rooney, | Stiefel, |
| Kalman, | | | Weiner, |

NAYS—28

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Fleming, | Mallery, | Wade, |
| Blass, | Harney, | Pechan, | Wagner, |
| Chapman, | Keller, | Propert, | Walker, |
| Confair, | Kessler, | Shafer, | Watkins, |
| Ehrgood, | Koprivier, Jr., | Stevenson, | Whalley, |
| Elliott, | Kromer, | Taylor, | Wolfe, |
| Flack, | Madigan, | Van Sant, | Scott, |
| | | | Presiding Officer |

So the question was determined in the negative, and the resolution was defeated.

PERSONAL PRIVILEGE

Mr. MAHADY. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Westmoreland, Mr. Mahady, will state it.

Mr. MAHADY. Mr. President, in the rulings tonight, the Chair read from Mason's Manual of Legislative Procedure, which became the rules of the Senate on January 1, 1959. It seems the only copy of these rules is in the hands of the Parliamentarian. This manual has never been furnished to the Members of the Senate, despite the fact that it has been requested on a number of occasions.

It would seem that if the rules were in our hands, we would be more familiar with them.

OFFICERS OF THE INTERNAL REVENUE SERVICE PRESENTED TO SENATE

Mr. SILVERT. Mr. President, I should like, at this time, to present to the Chair and to the Members of this Senate three distinguished gentlemen, any one of whom could be of great help to us in the matter of taxes. I mean individual payment of taxes. These gentlemen are Mr. Edgar A. McGinnes, District Director of Internal Revenue, Philadelphia, Pennsylvania; Mr. A. James Golato, Tax Information Office, Internal Revenue Service, Philadelphia, Pennsylvania; and Mr. Lynn Beard, Group Chief, Internal Revenue Service, Harrisburg, Pennsylvania.

All three have just finished addressing a meeting of Certified Public Accountants at the Penn Harris Hotel, and are seated to my left rear.

The PRESIDING OFFICER. The Chair, on behalf of his colleagues in the Senate of Pennsylvania, most certainly welcome the guests of Senator Silvert.

The Chair is delighted to know that the gentlemen are not here on official business, but are here on the business of pleasure.

Mr. WEINER. Mr. President, I think it would not be amiss for the Members of this Senate to get better acquainted with these gentlemen as we are getting near the end of the year. When it comes about that time, I think the form is 1048 which these gentlemen look at occasionally. Therefore, me might get to know them on an informal basis, in case we have to get to know them formally.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, I am about to offer a discharge resolution, and I ask for its immediate adoption.

This discharge resolution refers to House Bill No. 1442, Printer's No. 639. It is a joint resolution, proposing an amendment to Article III, Section 18, of the Constitution, to permit appropriations to be made in the form of scholarships grants or loans for higher education purposes to Commonwealth residents enrolled in institutions of higher learning, except those enrolled in theological seminaries or schools of theology.

Mr. President, there is a great need for help to students in higher education.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON CONSTITUTIONAL CHANGES AND FEDERAL RELATIONS FROM FURTHER CONSIDERATION OF HB 1442

Mr. SILVERT offered the following resolution, which was read as follows:

In the Senate, December 15, 1959.

Resolved, That House Bill 1442, Printer's No. 639, entitled "A joint resolution proposing an amendment to Article III, Section 18 of the Constitution of the Commonwealth of Pennsylvania, providing for grants or loans to residents of the Commonwealth for higher educational purposes," having been referred to the Committee on Constitutional Changes and Federal Relations on June 9, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. SILVERT. Mr. President, in the House on June 8, 1959, this bill was passed unanimously by every Member of the House, including Democrats and Republicans, the vote being 197 to nothing, because the Members of the House realized the great need that exists for help to students in higher education, either in the form of additional scholarships or loans.

I, therefore, ask for the discharge of the committee at this time.

Mr. SEYLER. Mr. President, I would like to request a roll call.

Mr. HAYS. Mr. President, I think it is a well known fact now that in Pennsylvania about one out of four

or one out of five of the graduates from high schools are in institutions of higher learning, while in the United States the percentage is thirty-three to thirty-five per cent. In some States, such as Utah, the percentage is as high as forty-nine per cent. This, in my opinion, is a great waste of the greatest resource we have in Pennsylvania.

At the present time, of course, in too many cases, the basis of being admitted to a college or university is on the so-called bank power rather than the brain power of the boys and girls.

Therefore, I would plead with you to discharge this committee so that we may vote on a measure to provide scholarships for needy and qualified boys and girls in the Commonwealth of Pennsylvania.

We get greatly concerned about how we are doing at Cape Canaveral and other places in this satellite and moon race with Russia. However, I say to you that ideas are greater and more powerful than rockets and satellites. You get ideas from scholars and students. Therefore, it seems to me, instead of looking at the launching pads at Cape Canaveral for the future of this Nation in its race with Russia, we should look to the launching pads of the scholars and students of Pennsylvania and see that they gain admission into the colleges and universities of this State.

I hope twenty-six Senators vote to discharge this committee.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. SEYLER and Mr. HAYS, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Miller, | Ruth, |
| Camel, | Mahady, | Mullin, | Sarra, |
| DiSilvestro, | McCreesh, | Murray, | Seyler, |
| Donolow, | McGinnis, | Rooney, | Silvert, |
| Hays, | McMenamin, | Ripp, | Stiefel, |
| Kalman, | | | Weiner, |

NAYS—28

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Fleming, | Mallery, | Wade, |
| Blass, | Harney, | Pechan, | Wagner, |
| Chapman, | Keller, | Probert, | Walker, |
| Confair, | Kessler, | Shafer, | Watkins, |
| Ehrgood, | Koprivier, Jr., | Stevenson, | Whalley, |
| Elliott, | Kromer, | Taylor, | Wolfe, |
| Flack, | Madigan, | Van Sant, | Scott, |
| | | | Presiding Officer |

So the question was determined in the negative, and the resolution was defeated.

RECESS

Mr. FLEMING. Mr. President, I request a five minute recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Conference Room at the rear of the Senate.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

MOTION TO ADJOURN

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, December 16, 1959, at 2:30 o'clock p. m.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I ask my colleagues to vote "no" on this motion.

Mr. WEINER. Mr. President, I request a roll call on the motion.

And the question recurring,

Will the Senate agree to the motion?

During the calling of the roll the following occurred:

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. There is nothing before the Senate at the present time except to announce the result of the roll call, Senator Weiner.

VERIFICATION OF THE ROLL

Mr. WEINER. Mr. President, I wanted to ask for a verification of the roll, and I wanted to make sure that I was in order to make that request.

The PRESIDING OFFICER. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

| | | | |
|----------|------------|---------|----------|
| Camel, | Mahady, | Mullin, | Sarra, |
| Donolow, | McCreesh, | Murray, | Seyler, |
| Hays, | McGinnis, | Ripp, | Silvert, |
| Kalman, | McMenamin, | Rooney, | Stiefel, |
| Lane, | Miller, | Ruth, | Weiner, |

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Keller, | Pechan, | Wade, |
| Ehrgood, | Kessler, | Probert, | Wagner, |
| Elliott, | Koprivier, Jr., | Shafer, | Walker, |
| Flack, | Kromer, | Stevenson, | Watkins, |
| Fleming, | Madigan, | Taylor, | Whalley, |
| Harney, | Mallery, | Van Sant, | Scott, |
| | | | Presiding Officer |

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were required by Mr. WEINER, and Mr. LANE, and were as follows, viz:

YEAS—20

| | | | |
|----------|------------|---------|----------|
| Camel, | Mahady, | Mullin, | Sarra, |
| Donolow, | McCreesh, | Murray, | Seyler, |
| Hays, | McGinnis, | Ripp, | Silvert, |
| Kalman, | McMenamin, | Rooney, | Stiefel, |
| Lane, | Miller, | Ruth, | Weiner, |

NAYS—24

| | | | |
|----------|-----------------|------------|----------|
| Berger, | Keller, | Pechan, | Wade, |
| Ehrgood, | Kessler, | Probert, | Wagner, |
| Elliott, | Koprivier, Jr., | Shafer, | Walker, |
| Flack, | Kromer, | Stevenson, | Watkins, |

Fleming,
Harney,

Madigan,
Mallery,

Taylor,
Van Sant,

Whalley,
Scott,
Presiding Officer

So the question was determined in the negative, and the motion to adjourn was defeated.

REQUEST FOR UNANIMOUS CONSENT TO THE ORDER OF BUSINESS OF EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I ask unanimous consent to take up, out of order, the order of business of Executive Nominations.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. I object, Mr. President.

The PRESIDING OFFICER. The Chair hears objection.

MOTION TO PROCEED TO THE ORDER OF BUSINESS OF EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I now move that the Senate take up, out of order, the order of business of Executive Nominations.

Mr. EHRGOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, may I suggest to the Chair that we are under the order of business of Resolutions, which has not been concluded?

I would also like to suggest to the Chair, since the motion for adjournment has fallen, that we are now in a new legislative day. The clock on the Senate wall has been turned back. I would like to know by what vote or what authority that was done. It certainly was not brought before the Members of this Body, and I believe that most of us will find, if we look at our watches, that it is now after 12:00 o'clock midnight and a new legislative day is upon us.

The PRESIDING OFFICER. The Chair has no knowledge whatsoever of the reason for the change in the clock. However, the Chair disagrees with the Minority Leader that we are in a new legislative day.

Mr. WEINER. Would the Chair then please advise us as to the correct hour?

The PRESIDING OFFICER. The correct hour by my watch is 11:58 o'clock p. m.

And the question recurring,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, regarding Executive Nominations, I object to this motion as we are under the business of Resolutions. I believe that is what is before this Body. We have not concluded it. There was a recess taken by the gentlemen on the other side while we were on the business of Resolutions, and this business has not been concluded.

Mr. FLEMING. Mr. President, I submit to the Chair that my motion is in order, and would ask that the motion be acted upon.

Mr. WEINER. Mr. President, I would like to suggest to the Chair, if the gentleman felt that he was on sound ground, why did he feel that he had to make a motion that we take this out of order? He may have the votes on his side, but that does not give him the right to proceed willy-nilly in any fashion that happens to suit him because, unlike the gentleman who has one favorable

ruling and may have another unfavorable ruling and decides to call on the favorable ruling, this gentleman does not enjoy that privilege at this moment.

Therefore, I would suggest to the Chair that we are under the order of business of Resolutions and the gentlemen is out of order. If he wants to vote on this motion or any other motion, I would suggest to him that he has the majority to so proceed. However, that does not make it the correct order of business.

Mr. FLEMING. Mr. President, the gentleman seemingly does not want to lay everything on the table. I am certainly ready to do it now, sir.

The gentleman knew there was a gentlemen's agreement that we go through the orderly process of business, which we were doing. The gentleman himself broke that agreement when he made the motion to adjourn. I feel that he broke the agreement. I feel, then, that I have the right or any Member of this Senate has the right to make any motion that he sees fit. Therefore, I think the motion entertained by the Chair, and properly seconded, should be put to the Senate.

Mr. WEINER. Mr. President, I would like to correct the gentleman from Allegheny. The agreement was broken sometime ago, and not by us. This agreement which the gentleman alleges to—if he would like me to go into it is quite some detail, I would be very happy to do so—is the business that we are under and follows the procedure as we have it here every day in this Senate. The order of business that we are under is Resolutions. I do not think it is out of order to offer these Resolutions which we have been offering. If any of them are out of order, I would like the gentleman to bring to our attention which of these Resolutions are not properly under the business which the Senate has at hand.

The PRESIDING OFFICER. As I understood the gentleman from Allegheny, he did not say that the offering of the discharge resolutions was out of order. He did say that once you had made the motion to adjourn you had broken the gentlemen's agreement which had been agreed upon earlier in the day as to the orderly process of the legislative day.

Am I correct in that, Senator Fleming?

Mr. FLEMING. That is correct, Mr. President.

Mr. WEINER. Mr. President, might I suggest that the motion to adjourn has been used by the other side much more than it has been by us. It is in order at any time and is not debatable. That motion fell. I then noticed that the clock on the Senate wall had been moved without anyone taking any action, and I suggested that we were in a new legislative day. If the Chair would advise us as to what the hour is now, I would appreciate hearing from him.

The PRESIDING OFFICER. Will the gentleman be willing to accept the time as given by the Chair?

Mr. WEINER. I will, sir.

The PRESIDING OFFICER. Will all of the other Members of the Senate?

Mr. WEINER. I cannot speak for them. I can only speak for myself.

The PRESIDING OFFICER. I am asking any other Member who might want to examine my watch, at this particular time, to now step forward.

The present time, by my watch, is two minutes past 12:00 o'clock.

Mr. WEINER. Might I then suggest to the Chair that we are now in a new legislative day?

The PRESIDING OFFICER. The Chair does not agree with the contention of the Minority Leader.

POINT OF ORDER

Mr. WEINER. Mr. President, I now rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, will you then advise me as to the definition of a legislative day.

The PRESIDING OFFICER. The Chair will be happy to do so.

In The Pennsylvania Manual of the year 1957-1958, Volume 93, on page 132, under Section 15, there will be found a decision for a former presiding officer on this point. The wording is as follows:

"Mr. Dent raised the question that since the official time was after midnight the Senate could not act on the calendar for the previous day.

"The Presiding Officer ruled that a legislative day ends when the Senate adjourns for that day."

The Chair would further like to call to the attention of the Minority Leader, page 268 of The Pennsylvania Manual, under "Session," paragraph 281. I read as follows:

"The session of the House having continued after twelve o'clock midnight, the Speaker decided that it was in order to proceed with the business before the House. An appeal was taken. The House sustained the decision."

Again:

"The hour of midnight having arrived, the Speaker decided that it was in order to proceed with the business then under consideration."

Another ruling:

"The hour of midnight having passed, the Speaker ruled that a legislative day extends until the House is adjourned."

Another ruling:

"Under a question of parliamentary inquiry as to when does a legislative day end—

"The speaker ruled a legislative day ends when the House adjourns."

Another ruling:

"The point of order was made that the House is governed by Eastern Standard Time, we are, therefore, in a new legislative day. (The hour of twelve midnight having passed.)

"The Speaker ruled the point or order not well taken."

I quote from the top of page 269 of The Pennsylvania Manual:

"A Legislative day is not governed by the hour of the day or the day of the week, but extends until the House adjourns. The Chair will refer the gentleman to decisions of the House as follows—"

There are a number of other decisions along the same point with exactly the same rulings by the Speaker.

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. Before the gentleman from Philadelphia, Senator Weiner, is recognized, the Chair would like to point out one other thing in conjunction with this point of order raised by the Minority Leader. I again quote:

"In addition the Chair would read to the gentleman from Cambria,"—who evidently raised the question—"from Jefferson's Manual, Section 6:

"Legislative rather than calendar days are observed by the House of Congress."

"The Speaker further stated that the rule of the House referred to governs the convening of the House but not the adjourning of the House."

Mr. WEINER. Mr. President, will you then advise us what is the order of business before the Senate?

The PRESIDING OFFICER. The order of business before the Senate, at the present time, is Original Resolutions, but there has been proposed by the gentleman from Allegheny, Senator Fleming, a motion.

Will the Senate be at ease for a few moments?

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

MOTION WITHDRAWN TO PROCEED TO THE ORDER OF BUSINESS OF EXECUTIVE NOMINATIONS

Mr. FLEMING. Mr. President, I would like to withdraw my motion, which I just made, and would ask to be recognized as soon as Senator Ehrgood withdraws his second to the motion.

Mr. EHRGOOD. Mr. President, I withdraw my second to the motion.

The PRESIDING OFFICER. The Chair now recognizes the gentleman from Allegheny, Senator Fleming.

CONSIDERATION OF EXECUTIVE NOMINATIONS MADE A SPECIAL ORDER OF BUSINESS IMMEDIATELY

Mr. FLEMING. Mr. President, I now move that Executive Nominations be made a Special Order of Business, effective immediately.

Mr. EHRGOOD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, if I am wrong in the sequence of the way these things happened, please correct me. However, I believe the Chair ruled that the business before the Senate was Original Resolutions. When we went up to the Chair, the discussion was that the motion would be withdrawn. That is the last thing which was supposed to be done. I believe we are still under Original Resolutions and I believe the gentleman is out of order.

The PRESIDING OFFICER. The question was raised as to what order of business we were under. The Chair stated that we were under the order of business of Original Resolutions.

Mr. WEINER. That is correct.

The PRESIDING OFFICER. However, the Chair also stated that Senator Fleming had made a motion. Senator Fleming has withdrawn his motion, and has made a new

motion that the order of Executive Nominations be made a Special Order of Business, effective immediately.

Mr. WEINER. Mr. President, I respectfully suggest to the Chair that the gentleman is out of order. The business before this Senate is Original Resolutions. We are willing to proceed and are going to proceed under the order of business of Original Resolutions. The only thing which Senator Fleming was going to do was withdraw his motion which he considered out of order.

The PRESIDING OFFICER. In answer to the point of order taken by Senator Weiner, the Chair would like to quote from Mason's Manual of Legislative Procedure, page 203, Section 264, as follows:

"The purpose of a special order is to expedite important business and set a definite time for its consideration, which gives such a special order privilege over other pending business. Whenever the making of a special order sets aside the general rules regarding the order of business it requires the same vote as would be required to specifically suspend the rules."

Mr. WEINER. Mr. President, would the Chair then rule—

The PRESIDING OFFICER. Would the gentleman yield for just a moment?

Mr. WEINER. I will, Mr. President.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, raised a point or order as to whether the motion made by Senator Fleming, and seconded by Senator Ehrgood, was in order. At the time when the motion was made, under the order of business of Original Resolutions, the Chair then read, in reply to Senator Weiner, from Mason's Manual of Legislative Procedure on "Motions to Set Special Orders."

The Chair is of the opinion that the motion made by Senator Fleming is in order at this time. The very specific purpose for a special order of business is to expedite business of the Senate. Therefore, the Chair, in answer to the point of order raised by the Minority Leader, would say that Senator Fleming's motion was in order.

Mr. WEINER. Mr. President, I believe if you will read that rule again,—and I am sure it was only inadvertence on your part—you will find that it says: "... to expedite important business. ..." Is that correct?

The PRESIDING OFFICER. The reading was: "and set a definite time for its consideration." The gentleman is correct in saying: "to expedite important business."

Mr. WEINER. Mr. President, who is to decide what the important business of the Senate is? Is the Chair deciding that it is more important that we have the order of business of Original Resolutions?

The PRESIDING OFFICER. The question will be put before the Senate at the time when the motion is voted upon. Then the Senate will decide as to which is of the greater importance.

And the question recurring,

Will the Senate agree to the motion?

POINT OF INFORMATION

Mr. DONOLOW. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman will state it.

Mr. DONOLOW. Mr. President, will you please answer my query?

We are now in the midst of an order of business. Can such a motion be entertained in the midst of an order of business, rather than at the beginning or at the conclusion of such an order? Can you interrupt an order of business for such a motion?

The PRESIDING OFFICER. That is exactly the same question which was raised by Senator Weiner in his point of order. The Chair is of the opinion that a motion to go into a special order of business can be honored at that time.

Mr. DONOLOW. Mr. President, does not Mason's Manual of Legislative Procedure say, "to set the time when such may be entertained"?

The PRESIDING OFFICER. It does say that. The Chair also feels that the interpretation of the paragraph just read also would give a motion to go into a special order of business precedence and the right to be made at any time, no matter under what order of business you may be.

Mr. DONOLOW. Not to carry this conflict out, Mr. President, but am I correct in my opinion that—again directing your attention to Mason's Manual of Legislative Procedure—does it not say it is only entertained for the purpose of setting the time when this order of business shall be taken up?

The PRESIDING OFFICER. That is exactly what we are doing. We are setting the time.

Mr. DONOLOW. That is right. We are now in the midst of an order of business. Are we now interrupting this order of business and setting the time when we will entertain this other important matter?

The PRESIDING OFFICER. If the Chair were to answer that, Senator Donolow, it would be a mere repetition of what I said earlier.

Mr. DONOLOW. Mr. President, the motion made by Senator Fleming does not set the time.

The PRESIDING OFFICER. The motion made by Senator Fleming set the special order of business as immediately. In the estimation of the Chair, that is sufficient to setting a time.

DECISION OF THE CHAIR APPEALED

Mr. DONOLOW. Mr. President, I would like to appeal that ruling of the Chair.

The PRESIDING OFFICER. The Chair has ruled and the gentleman from Philadelphia, Senator Donolow, has now appealed from the ruling of the Chair. On the question of the appeal, the Clerk will call the roll. Those voting "aye" will be voting to sustain the ruling of the Chair. Those voting "no" will be voting to overrule the Chair's ruling.

Mr. LANE. Mr. President, will the Chair please advise me whether or not a majority vote will prevail, or will a constitutional majority prevail on this vote?

The PRESIDING OFFICER. Are you speaking about Senator Donolow's appeal?

Mr. LANE. Yes, sir.

The PRESIDING OFFICER. A majority vote will sustain the decision of the Chair.

The roll was called and was as follows:

YEAS—26

Berger,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,
Fleming,

Harney,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Madigan,
Mallery,

Pechan,
Probert,
Shafer,
Stevenson,
Taylor,
Van Sant,

Wade,
Wagner,
Walker,
Watkins,
Whalley,
Scott,
Presiding Officer

NAYS—18

Camel,
Donolow,
Hays,
Kalman,
Lane,

Mahady,
McCreesh,
McGinnis,
Miller,
Mullin,

Murray,
Ripp,
Rooney,
Ruth,

Seyler,
Silvert,
Stiefel,
Weiner,

So the question was determined in the affirmative and the decision of the Chair was sustained.

And the question recurring,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, in order for me to understand what is taking place here, is it then your ruling that this motion for a special order of business is in order at any time, regardless of what phase of business is facing the Senate? In other words, if tomorrow we were on the Calendar and I were to ask, as a special order of business, that we take up Executive Nominations, would that then be before the Senate and proceed ahead of any other business which might be before the Senate?

The PRESIDING OFFICER. In order to be consistent, the Chair must agree that at any time a motion to take up a special order of business would be in order, unless that special order of business had already been considered.

Mr. WEINER. Mr. President, may I refer you to page 114 of the 1957-1958 Pennsylvania Manual, Rule No. 9? Would the Chair please advise me, for my information, how the Chair resolves what this says as opposed to the ruling just made by the Chair.

The PRESIDING OFFICER. Would the gentleman please refer to the section again?

Mr. WEINER. It appears on page 114 of the 1957-1958 Pennsylvania Manual, under Rule No. 9.

The PRESIDING OFFICER. The Senate will be at ease a few moments.

(The Senate was at ease.)

The PRESIDING OFFICER. In reply to Senator Weiner, the Chair has before it the page and the section referred to. However, the Chair does not understand the question that was presented by the Minority Leader to the Chair.

Mr. WEINER. Mr. President, I am sorry that I was not more clear, but I will try to do better.

The Chair ruled, a moment ago, that a motion to take up business out of order, or set a special order of business, was in order at any time. Is that correct.

The PRESIDING OFFICER. That is correct.

Mr. WEINER. Under the rules of the Pennsylvania Senate, Mr. President, on page 114, of The Pennsylvania Manual, under Rule No. 9, there appears a ruling under the subject of "Order of Motions." Under this heading it states: "Motions shall take precedence in in the following order." It then lists the order of precedence. I am now asking whether there is not an inconsistency with the ruling just made by the Chair and the precedence of these motions. In other words, beginning with number 9a and going through to the number 9L, at what point would the Chair's ruling supersede these motions?

The PRESIDING OFFICER. The Chair now understands the question.

The Minority Leader, Senator Weiner, called the attention of the Chair to page 114 of the Rules of the Pennsylvania Senate, paragraph 9, which enumerates a number of motions which shall take precedence in the order as specified. He requested information from the Chair as to under which category a motion to make a special order of business fell. Have I stated that correctly, Senator Weiner?

Mr. WEINER. That is correct.

The PRESIDING OFFICER. The Chair would like to call attention, in answer to Senator Weiner's question, to page 204 of Mason's Manual of Legislative Procedure, paragraph 6, which states as follows:

"If the question is not pending, the motion to make it a special order for a certain time takes precedence as a main motion."

Consequently, in answer to Senator Weiner's question, Senator Fleming's motion to make a special order of business would fall into the category of a main motion, which is enumerated in Section 9 of the Rules of the Pennsylvania Senate.

POINT OF INFORMATION

Mr. WEINER. Mr. President, before the roll is called, I would also like the Chair to advise me on a point of information. Will the Chair vote on this question?

I believe the rule of the Senate is that when you have a tie vote, the Presiding Officer can break that tie vote. This is applicable as long as it is not a vote to pass a bill on Third Reading or Final Passage. The question which I am presenting to the Chair is, on this matter, where a majority vote of those elected is needed, which would be twenty-six votes of this Body, can the Chair vote as the Presiding Officer?

The PRESIDING OFFICER. The Chair is of the opinion that when a duly elected Member of the Senate is presiding, he can vote on any question.

Mr. WEINER. I wish to thank the Chair, Mr. President.

And the question recurring,

Will the Senate agree to the motion?

The roll was called and was as follows:

YEAS—26

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Shafer, | Walker, |
| Ehrgood, | Koprivier, Jr., | Stevenson, | Watkins, |
| Elliott, | Kromer, | Taylor, | Whalley, |
| Flack, | Madigan, | Van Sant, | Scott, |
| Fleming, | Mallery, | | Presiding Officer |

NAYS—19

| | | | |
|----------|------------|---------|----------|
| Camel, | Mahady, | Mullin, | Seyler, |
| Donolow, | McCreesh, | Murray, | Silvert, |
| Hays, | McGinnis, | Ripp, | Stiefel, |
| Kalman, | McMenamin, | Rooney, | Weiner, |
| Lane, | Miller, | Ruth, | |

So the question was determined in the affirmative, and the motion that Consideration of Executive Nominations be made a Special Order of Business immediately was agreed to.

POINT OF INFORMATION

Mr. WEINER. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state his point of information.

Mr. WEINER. Mr. President, what is the order of business now before the Senate?

The PRESIDING OFFICER. The Chair now announces that we are under the order of business of Executive Nominations.

INTERROGATION

Mr. WEINER. Mr. President, I desire to interrogate the Chairman of the Committee on Executive Nominations, Senator Fleming.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of the Senate what pressing, urgent business there exists before the Senate that we must take up at this hour of the day?

Mr. FLEMING. The consideration of the nominations for the State Tax Equalization Board, which are lying on the table.

Mr. WEINER. Mr. President, in order to save time and the record, may I dispense with asking the gentleman if he will allow himself to be further interrogated? Any time he decides that he would rather not be further interrogated, if he will just so state, I will not ask him any further questions.

Mr. FLEMING. That is agreeable, Mr. President.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WEINER. Mr. President, will the gentleman advise us why it is so pressing that we take up the Members of the Tax Equalization Board at this moment?

Mr. FLEMING. Mr. President, this is the time to do it. The members on our side of the Senate feel that it is in the best interest of the Commonwealth that it be done forthwith.

Mr. WEINER. Mr. President, will the gentleman further advise us when he received these names?

Mr. FLEMING. On November 16, 1959.

Mr. WEINER. Mr. President, will the gentleman advise us if there have been any public hearings, or if these people who have been named to the Board have been brought before the committee?

Mr. FLEMING. There have been no public hearings. I might add, Mr. President, there were no public hearings requested.

Mr. WEINER. Have either of these gentlemen or any of the gentlemen nominated by the Governor ever been spoken to by the chairman of the committee, either in his capacity as the chairman or speaking on behalf of the committee?

Mr. FLEMING. I have not spoken to them.

Mr. WEINER. Will the gentleman please advise us, if these nominations have been in committee from November 16 until December 15, why we are meeting here under this special order of business that he has requested to specifically take up this problem?

Mr. FLEMING. I certainly will be most happy to answer that; yes, sir. We made an agreement today with you, sir, that we would go over the Calendar first, in order that the Calendar could be disposed of, and then revert to the regular order of business.

You, sir, as the Minority Leader and spokesman for the Administration, have used every dilatory tactic in the book in attempting to delay a vote on these names. You have produced a series of discharge resolutions and offered them at a time when you thought that you could have us not do this until tomorrow.

We, on this side, in control of the Senate, decided, sir, that we are going to vote on them today.

Mr. WEINER. Mr. President, will the gentleman further advise the Members of this Senate why this matter is of such urgency that it has to transacted today and will not keep until tomorrow or any other day?

I would also like to suggest to the gentleman that if he wants to confer with his counsel, he may do so.

Mr. FLEMING. My counsel, sir, is in the Chair at the moment and I cannot confer with him.

Mr. WEINER. I am perfectly willing that we take a few minutes break or recess so that you may confer with your counsel.

Mr. FLEMING. At this time, I do not need the advice of counsel.

Mr. WEINER. Then, will the gentleman please answer my question?

Mr. FLEMING. I have answered that question.

Mr. WEINER. Senator, will you please tell the Members of the Senate that this is not a personal matter with you and that you feel that you have to—if you want to consult with counsel, I think you should do so.

Mr. FLEMING. I need no consultation with counsel. Mr. WEINER. All right. I thought perhaps that was interfering with you hearing the question I am asking you.

Mr. FLEMING. I hear it completely, sir.

I have no personal interest in the matter whatsoever. As the gentleman fully knows, I am Chairman of the Republican Caucus. I am acting as Chairman of the Republican Caucus and I have been most insistent that we want these names acted upon at today's Session.

Mr. WEINER. Mr. President, will the gentleman further advise us if the purpose of this procedure at this time is to merely raise these names so that he can knock them down and, in turn, rip out this Board?

Mr. FLEMING. Mr. President, there is no attempt to rip out any Board, sir. We are following the provisions of the Pennsylvania Constitution which say that on various positions in the Commonwealth, into which category the Members of the Tax Equalization Board fall, they shall be submitted to the Senate of Pennsylvania for confirmation or rejection. The Constitution requires that they have a two-thirds majority vote of the Senate of Pennsylvania. The framers of the Constitution saw fit to write that provision into it. That is what we are doing now in a very orderly manner.

Whether or not these gentlemen will receive thirty-four votes, I do not know. Your guess is as good as mine.

Mr. WEINER. Senator, would you give me your guess on this matter?

Mr. FLEMING. My personal Guess?

Mr. WEINER. Yes sir.

Mr. FLEMING. I do not know.

Mr. WEINER. What would you hazard if you had to hazard a guess on this particular subject?

Mr. FLEMING. That is rather ridiculous, but I do not think they are going to get the two-thirds vote.

Mr. WEINER. That is correct.

Senator, were you in this Senate four years ago?

Mr. FLEMING. I was, sir.

Mr. WEINER. Were you on the Committee on Executive Nominations at that time?

Mr. FLEMING. My memory is short. I do not know. I do not believe I was.

Mr. WEINER. But you were a Member of this Senate four years ago?

Mr. FLEMING. You gave me the right to ask my advisers. I have another adviser sitting at the rostrum, who at that time was Chairman of that Committee. If it would not be out of order, if the Chair would permit, I would like to have him tell me whether I was on the committee four years ago.

He shakes his head "no." I was not on the Committee.

Mr. WEINER. Mr. President, will the gentleman please advise us if he was in the Senate at the time that Mr. McGlinchey's name was brought up four years ago?

Mr. FLEMING. I do not know. I would take your word, sir. If you say I was here, I was.

Mr. WEINER. No sir, you cannot take my word. I will have to take your word. I do not know.

Mr. FLEMING. I could not tell you. I do not know.

Mr. WEINER. Did you object at that time when his name came over?

Mr. FLEMING. I did not.

Mr. WEINER. Was he confirmed by this Senate?

Mr. FLEMING. Honestly, Senator, I do not know. I presume he was. I do not know. I am not sure if he is serving as an interim appointment, or if he was confirmed. I am not sure of that.

Mr. WEINER. Would you take my statement as a fair statement that he was confirmed by this Senate and is serving as a member who has been confirmed?

Mr. FLEMING. I will certainly accept that.

Mr. WEINER. You did not object at that time?

Mr. FLEMING. I did not.

Mr. WEINER. Nor did any of your colleagues who are sitting over there—many of whom were here at that time—object at that time either. Is that correct?

Mr. FLEMING. That is correct.

Mr. WEINER. Would you tell us now what objection you have to Mr. McGlinchey or any other Member on that Board so that I can vote properly when this matter comes before us?

Mr. FLEMING. Mr. President, as Chairman of the Committee on Executive Nominations, yesterday I submitted to the floor of the Senate certain names for acceptance or rejection of confirmation by the Senate of Pennsylvania. At no time have I voiced opposition to any one of these three names. I believe the record will show that at least one Senator did rise and give reasons why he was suggesting to his colleagues in the Senate that they vote not to confirm.

I have become very active at the microphone, mainly because as chairman of the committee I felt it incumbent upon me to see that the orderly processes of the Senate be observed, and that certainly the names that we had reported from committee be acted upon either favorably or unfavorably.

Mr. WEINER. Will you please advise us, Senator, if you feel there is any reason why we should not confirm Mr. McGlinchey? I will certainly allow you time to confer with counsel.

Mr. FLEMING. No, I have a lot of advisors. I told you my counsel is in the Chair, and I am answering on my own. If I see him frowning, then I will know I am doing badly.

Mr. WEINER. Would you answer my question, please?

Mr. FLEMING. His name is not before us, sir.

Mr. WEINER. I am asking you, as the chairman of the committee, when his name comes before us, do you know of any reason why I should not vote for him?

Mr. FLEMING. I would say, sir, that that is a matter of your own conscience.

Mr. WEINER. Sir, would you advise the Members of the Senate, as chairman of the committee, if you have any knowledge that you want to impart to us about his inability to fill this job or continue serving in it after having served for almost four years?

Mr. FLEMING. I would say again, sir, that that is a matter for each Senator to determine in his own mind, whether or not he wants to confirm Mr. McGlinchey or any other name that would be brought before the Senate for confirmation.

Mr. WEINER. Will the Senator then advise the Members of this Senate, as Chairman of the Committee on Executive Nominations, what he would consider to be his function on that committee as chairman?

Mr. FLEMING. To act as chairman, and to report names to the floor of the Senate at the proper time for action by the Senate.

Mr. WEINER. Sir, would you state that either you do or do not report these names with a favorable or unfavorable recommendation?

Mr. FLEMING. I report them, in most instances, with a favorable recommendation. I believe they were merely brought to the floor yesterday and reported from the Committee on Executive Nominations without recommendation.

Mr. WEINER. Will you then tell us, sir, on what do you base the favorable or unfavorable recommendation?

Mr. FLEMING. I do not know that there is a particular reason. In most instances when they are applicable only to a Senator in his own district and do not involve State-wide matters, we have, not by any rule of the Senate but just by a rule of courtesy,—I would presume that would be the correct word—have let that particular Senator decide for his own District. For instance, on the Board of Public Assistance applicable only to Dauphin County, we let Senator Taylor decide. For instance, in the case of Centre County, we permit Senator Hays to decide whether or not that person should be confirmed.

Mr. WEINER. Then, sir, would you advise the Members of this Senate whether nominees reside have objected to them or have asked you to report them unfavorably; to wit: Senator Silvert, Senator Lane or Senator Mahady?

Mr. FLEMING. That is a matter for each Senator to determine in his own mind.

Mr. WEINER. Senator, would you please answer my question?

Mr. FLEMING. I am trying to answer it, sir. It is the right of any Senator, and it is his decision and his decision alone, as to whether or not he shall get on the

floor of this Senate and state his reasons for voting either for or against any name presented to the Senate. I certainly have no advice to offer to any Senator on that score.

Mr. WEINER. Might I rephrase the question? Perhaps I put it very poorly. Did you, at any time, submit these names to the Senators from the particular areas in which these men reside in order to extend them this courtesy?

Mr. FLEMING. On State-wide officers, I do not believe that was done, No, sir.

Mr. WEINER. You did not submit these names to any one of these Senators?

Mr. FLEMING. That is right.

Mr. WEINER. On these State-wide officers, which you treat differently than those who come from a particular county, do you investigate these people so that you can give us either a favorable or unfavorable recommendation?

Mr. FLEMING. I personally do not; no, sir.

Mr. WEINER. In other words, is it a fair statement then that you are submitting these names after having made no investigation of them whatsoever, and after having taken no position on them whatsoever?

Mr. FLEMING. That would not be correct; no, sir. I believe that many of the Senators, none of whom I can name,—if they desire to rise and make a statement on the floor, that is their privilege—feel that these particular men are not competent to be members of the board.

Mr. WEINER. Getting back to my original question, would you advise me, Senator, what information or what criteria you have used to determine this?

Mr. FLEMING. Again, I do not know. I do not know why the Senators will not approve of them or why they will approve of them.

Mr. WEINER. As chairman of the committee, have you discussed this with any members of your committee?

Mr. FLEMING. You were in the committee meeting when they were voted out, Senator.

Mr. WEINER. Yes, sir, Senator, my understanding of it was, when you held the committee meeting, that you were going to bring these names to the floor with a favorable recommendation. That was the first meeting that your committee has ever held since I have been in this Senate.

Mr. FLEMING. We are certainly violating the rules or, at least, the common procedure of the Senate by divulging what goes on in a committee meeting. I would suggest to the gentleman that at no time in a meeting when those names were considered was that suggestion brought up.

Mr. WEINER. May I suggest to you, sir, that you were the one who talked about the committee? I did not mention it at all. You stated that I was present at the committee meeting and what action we took. I am asking you now, what information do you have, because you stated these people would not be approved? On what do you base your opinion that they will not be approved? I am asking this so that you can give all of us the benefit of this knowledge that you have in order that we can vote with you if they are not deserving of our support.

Mr. FLEMING. Mr. President, I did not state that they would not be approved. In answer to several queries by the Minority Floor Leader in which he kept pushing me, I said that I would hazard a guess that they would not

be approved. I did not say that they would not be approved.

Mr. WEINER. Would the Senator then advise us whether this is not the first time that this has happened, since he has been chairman of the committee, when he has left it up to the entire membership?

Mr. FLEMING. No, that is not so.

Mr. WEINER. What other time, sir?

Mr. FLEMING. The cabinet officers, which were brought out forthwith the day that the Governor sent them over, were considered by the full committee.

Mr. WEINER. They did not receive an unfavorable report, did they, Senator?

Mr. FLEMING. That is correct.

Mr. WEINER. So that, actually, this is the first time that we have had nominees submitted, name by name, since you have been chairman of this committee, and the report, apparently, is unfavorable, and you will not tell us why it is unfavorable or for what reason these people are being denied approval. Is that correct?

Mr. FLEMING. No, that is not correct. I wish to correct an impression that possibly has been given by the gentleman which, I hope, is given without knowledge. These are not grouped nominations for some reason. Again, I know not why the Governor does things. In many instances, he sends over nominations for boards in which three, four or five names are on one sheet. If the gentleman would so desire, the record, which is official, will prove that each one of these was sent separately.

Mr. WEINER. Then is it correct that you have taken no investigatory action on these whatsoever?

Mr. FLEMING. I have so stated.

Mr. WEINER. Would you say that you feel that we should vote against these gentlemen, if I asked your opinion now as chairman of the committee?

Mr. FLEMING. Specifically, Mr. President, I said it is a matter for each Senator to determine in his own mind whether or not he feels that these gentleman, as their names are brought up, should be confirmed.

Mr. WEINER. Senator, I am asking you now, publicly, to advise me—and I hope you do not mind acting as my counsel—how to vote on Mr. McGlinchey, Mr. Bevec or Mr. Gardlock.

Mr. FLEMING. Seriously, I have no right to advise you. Facetiously, if you have any regard for your position in Philadelphia, you will vote for them.

Mr. WEINER. Senator, you are stating it then on a purely political basis, is that correct?

Mr. FLEMING. No, I am not.

Mr. WEINER. Well on what other basis would you suggest, either facetiously or even to take this matter on the serious basis that it is, that I either vote or do not vote and use a political basis for voting? If this person is not any good, or any one one of them is not any good, should you not, as chairman of the committee, make that known to us? If they are good, should you not also make that known to us? Do you not think this is a serious matter in which the Legislature has set up this committee to look into certain important factors and notify the Department of Public Instruction, and that these people are certainly entitled to serious consideration and not to be handled in any facetious or political way?

Mr. FLEMING. Mr. President, first of all, I want to correct the gentleman. I can see he is a smart Philadel-

phia lawyer, but I cannot see why he would want to insert "facetiously" when at only one time—and probably I should not have done it—did I use the word "facetiously" in answer to one question.

Seriously, Senator, I cannot be more emphatic. It is beyond my forensic ability to say that, in my opinion, and that opinion, parenthetically, if I may, you can certainly disagree with and you can say that I should not do it—I fully believe it is a matter for each of the fifty elected Senators of this Body to decide for themselves whether or not they want to confirm these men or any other nomination requiring Senate confirmation that is submitted to the Senate.

Mr. WEINER. Senator, would you please advise us—if I am being redundant or asking the same question more than once, please forgive me, because it is likely I have not gotten an answer to it—why we are doing it with this board or this commission, when we have not done it with any other?

Mr. FLEMING. May I ask you, sir, we are doing what?

Mr. WEINER. Why are we bringing up this board piecemeal and in this manner, when we have not done this all Session with any other board or any other commission?

Mr. FLEMING. Mr. President, I stated to the gentleman that I have no control over the method by which the Governor of Pennsylvania submits nominations to the Senate of Pennsylvania. On November 16, 1959, he submitted to The Honorable, The Senate of the Commonwealth of Pennsylvania, the name of Herbert J. McGlinchey, Philadelphia, for reappointment as a Member of the State Tax Equalization Board. On the same date, he submitted, in a separate set of papers, the name of Raymond E. Gardlock, of New Kensington, as a Member of the State Tax Equalization Board, and the name of John Bevec, of Strabane, Pennsylvania, as a Member of the State Tax Equalization Board. Why the Governor chose to do that Senator, I cannot say, but he did. Therefore, there is only one way in which we can consider them, sir, and that is separately.

Mr. WEINER. Senator, I have no problem with considering them either separately or as a group. My difficulty is—and I am sorry—that I have been unable to ask the right question to elicit the right answer from you, and that is my fault and not yours.

The question I am going to ask—and please forgive me if I do not get it across to you, and I will try to ask it again if I do not—is why are we handling this matter in any different way than we have handled the rest of them. In other words, do you not feel that this is an important board, an important commission, and that you should submit this in the same manner as every other one that you have submitted, either with a favorable or unfavorable report? If it is unfavorable, I think you are duty bound to advise all of us of the information that you have so that we can also vote correctly on these people, because I am certain that no one sitting on this side of the aisle is interested in confirming anyone for any State job or for any other type of activity in this State who does not merit the confidence or merit the standing that you and I would like him to have.

Mr. FLEMING. The only thing I can say, in answer to that, Mr. President, is that is his belief and one in which I do not concur.

Mr. WEINER. Senator, will you tell me how I err in the statement I have made?

Mr. FLEMING. My advisers are getting—

Mr. WEINER. Would you like to take a five minute recess?

Mr. FLEMING. No. If my advisors will just leave me alone, I will be all right.

I do not know, sir. I can only think for myself. You have to think for yourself, Senator Weiner.

Mr. WEINER. Senator, sometimes I have difficulty doing that, and that is why I am calling upon you to aid me and tell me how I should vote on this man. It might be that you have information that is not available to me. All I am calling upon you to do is to give us this information.

Mr. FLEMING. Flattery will get you nowhere, sir. You know that I am not competent to advise you.

Mr. WEINER. I think in this matter you are, Senator, because as the chairman of this very important committee, I think that you should have information that none of us have, and I think you should be prepared to submit that to us. All of these names are kept by you, I understand, in a folder or kept separately, and you do have some duty to look into them and advise us, because otherwise we would not need this committee. Perhaps we only need someone to transmit the nomination from the Governor. We can lay it on the table and vote on it at will, or decide not to vote on it. I do not think that it has to go through a particular committee or a particular person to perform this duty or this very act.

Mr. FLEMING. It might be a good procedure, Senator. I would suggest that when the Rules for the next Session are drawn you submit that to the Rules Committee, and possibly it, will be adopted.

Mr. WEINER. Senator, for the purpose of taking up these names this evening, have you any reason to believe that we should not confirm any one of these gentlemen? Will you please answer that question "yes" or "no," and then explain if you would like?

Mr. FLEMING. Mr. President, I have stated as clearly as I can that I think it is a matter for each Senator to determine in his own conscience whether or not he shall vote for these members as their names are called.

Certainly Senator Weiner does not believe in that philosophy. However, I submit, Mr. President, that is my philosophy. I defend his right to his. Certainly, he should let me have mine.

Mr. WEINER. Senator, have you acted this way on other commissions and other boards that are in your possession, or are you holding some of those boards and commissions still in your possession that were submitted to you some time ago, and thereby not giving us an opportunity to vote in what I feel is the correct and proper way to vote on them?

Mr. FLEMING. I do not know quite how to answer that. Certainly, I have some members of other boards in the files. They may and they may not come out. I am not in a position to answer that at the moment.

Mr. WEINER. Senator, if the chairman of the committee does not know whether these names are going to come out or not come out, who would you suggest that I contact to determine whether these people are going to be acted upon?

Mr. FLEMING. I do not know. I cannot answer that.

Mr. WEINER. If the chairman of the committee cannot tell me, who might I ask who could tell me whether some of these names which you have been holding for a much longer period than a month can or cannot come out?

Mr. FLEMING. We have not quite decided whether or not they will be reported.

Mr. WEINER. When you say "we," Senator—

Mr. FLEMING. When I say "we," sir, I mean the Republican Caucus; yes, sir. I am not shadowboxing with anybody. We made a decision on this, sir, to report the names. I think it is about time we vote on them.

Mr. WEINER. Then, sir, are you stating to me that the Republican Caucus has now made a decision on these names?

Mr. FLEMING. I did not say that; no, sir. I said the Republican Caucus has made a decision to bring the names up. Every Member of this Republican Caucus—and I hope this will be true of the Democratic Caucus—is as free as the breeze to vote for or against these men as their names are called.

Mr. WEINER. Sir, would you then suggest to me that these names were just reported out and that there has been no action taken on them whatsoever?

The PRESIDING OFFICER. Will the gentleman yield for just a moment?

Mr. WEINER. Mr. President, I would just like to have him answer my question. Then I will be glad to yield for a moment or for longer.

The PRESIDING OFFICER. The Chair had not realized there was a question unanswered.

Mr. WEINER. Yes, sir. There is a question remaining unanswered at this moment. I believe I gave the gentleman the prerogative to quit at any time that he wanted to do so.

The PRESIDING OFFICER. Is the gentleman in a position to answer the last interrogation of Senator Weiner?

Mr. FLEMING. Will the reporter please read the question?

The PRESIDING OFFICER. Can Senator Weiner rephrase his question?

Mr. WEINER. Yes, sir. I believe the question was—

Mr. FLEMING. I will get it from the reporter.

The PRESIDING OFFICER. Will the gentleman yield for a moment?

Mr. WEINER. Yes, sir.

(The reporter complied.)

Mr. FLEMING. Mr. President, I would say, in answer to that question, that there was no Caucus action on the disposition. There was a Caucus request that the names be presented to the Senate of Pennsylvania for a vote.

I would further submit to the Senate, Mr. President, that as of whatever time yesterday when they were reported to the floor of the Senate, not only myself, as chairman, but also the Executive Nominations Committee lost complete control of the names. They are now in the hands of the Senate for confirmation or rejection.

The PRESIDING OFFICER. The Chair, at this point, would like to point out that at the beginning of the interrogation, Senator Weiner asked about the order of business, and the Chair said that the next order of business was Executive Nominations. Then the interrogation began, and the Senate did not go into the order of business of Executive Nominations. If there is to be further

interrogation or further discussion, the Chair feels that it would serve the best interests of all if we were under the order of business of Executive Nominations.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do now resolve itself into Executive Session for the purpose of acting upon certain nominations made by His Excellency, the Governor, which were laid on the table on December 14, 1959, and also the nominations reported at today's Session.

Which was agreed to.

NOMINATION OF HERBERT J. MCGLINCHY TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I call from the table the nomination of Herbert J. McGlinchey, 596 East Geneva Avenue, Philadelphia 20, Pennsylvania, for reappointment as a member of the State Tax Equalization Board, and ask that action be taken on his confirmation.

The nomination was read by the Clerk as follows:

MEMBER OF THE STATE EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert J. McGlinchey, 596 East Geneva Avenue, Philadelphia 20, Philadelphia County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nomination?

Mr. LANE. Mr. President, I believe yesterday one of the Senators opened this discussion by making a remark on the operation of the State Tax Equalization Board and, if the Chair approves, I would like one of the stenotype operators to read back those remarks of Senator Ehrgood.

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

The PRESIDING OFFICER. Senator Lane, for your information, I am advised that the stenographer has a copy of those remarks transcribed, which are in her office, and she will go to her office and bring it up.

The Senate will again be at ease a few moments.

(The Senate was at ease.)

The PRESIDING OFFICER. Senator Lane, you requested from the stenographer a copy of Senator Ehrgood's remarks at yesterday's Session.

Mr. LANE. Mr. President, I do not require a copy of the remarks. I would like the Reading Clerk to read back to the Senate the remarks that were made, if it is in order.

The PRESIDING OFFICER. The Chair is in possession of a copy which has been presented to him by the stenographer, and if it meets with your approval, the Clerk will read the remarks at this time.

Mr. LANE. That is perfectly all right. That meets with my approval.

The PRESIDING OFFICER. Is that your desire?

Mr. LANE. Yes, sir.

The PRESIDING OFFICER. The Clerk will proceed.

The remarks of the gentleman from Lebanon, Mr. Ehrgood, were read by the Clerk as follows:

Mr. EHRGOOD. Mr. President, the remarks I am about to make, at this time, on this nomination will be equally apropos, I believe, to the other two nominations which will follow.

I am going to ask my colleagues to vote against the confirmation of Mr. Herbert J. McGlinchey for reappointment as a member of the State Tax Equalization Board, and also the other two members who have been nominated by the Governor.

First of all, Mr. President, let me say that the State Tax Equalization Board is the vehicle by which State subsidies are distributed to the local school districts throughout the Commonwealth. It seems to me there has been a deliberate attempt by the present membership of the State Tax Equalization Board to go ahead and distribute these subsidies to the large metropolitan areas.

I believe I can say very fairly that throughout Pennsylvania there has been a suspicion of political interference with the market values, as determined by the State Tax Equalization Board. I know, in my own District, that the findings must have been determined by inspired guesswork, if by no other method. I think that in the school system throughout this Commonwealth, there is no place for political suspicion, there is no place for guesswork, and there has not been in the State Tax Equalization Board as heretofore constituted.

Mr. President, I believe this is very serious to this Commonwealth. If there is no faith by the school districts and by the educators throughout this Commonwealth in these findings, and if we are going to have any suspicion of politics entering into the school districts, then I say, and I think we all should agree, that these nominations should be turned down.

There is no doubt, Mr. President, that the nominee before us right now is the secretary of one of the big Democratic bosses in Philadelphia. I think this is no place for politics. I hope that all Members of the Senate will vote against these nominations and turn them down.

Mr. LANE. Mr. President and Members of the Senate, I believe that the gentleman resides in Lebanon County. I have in my possession an authentic document which shows that there was a decrease in the 1958 market value in Lebanon County, from 1957 to 1958, amounting to \$4,871,500, or a two per cent decrease in the actual market value of the assessed valuations in the county of Lebanon.

Mr. President, the State Tax Equalization Board was created by an Act of Assembly in 1947. I think one of our former distinguished Members of the Senate served as a member of that board, and he had an outstanding record.

In 1951, the Local Government Commission of Pennsylvania passed what is known as the Permanent Assessment Act, which is applicable to all counties from the fourth to the eighth class. In the original proposal, of which I was a cosponsor, we gave the counties of the fourth to the eighth class a period of five years to put this program into effect. As of right now, I believe from my latest information, we have nineteen or twenty counties operating under the Permanent Assessment Act.

The primary purpose of the State Tax Equalization Board was to bring about an equitable subsidy, as far as education was concerned, whereby when we increased the

local effort then, of course, the State subsidies would be decreased proportionately.

In this particular case, you will find, if you check the records of the Secretary of Internal Affairs, that these nineteen or twenty counties when they adopted the Permanent Assessment Act and put it into effect, they did, by a resolution of the county commissioners, put a percentage on the assessed value to determine what would actually be the assessed valuations of the county. In that provision, I believe there was a limit of seventy-five per cent.

In most cases they have taken a figure of twenty-five up to fifty per cent, and in so doing, they have increased the assessed valuations of the various counties of the Commonwealth, particularly those which adopted the Permanent Assessment Act. In so doing, there happened to be a decrease in the school subsidies and a decrease in the market value, with the result that some of the counties in the Commonwealth actually did not receive the same amount of State money they had formerly received in the past.

I am informed by reliable sources that there was a reduction in the assessed valuations of the city of Philadelphia, especially in the center part of the city, due to the decline of interests there and due to the competition they were receiving from these outside sources, such as these market places out along the highways. The result, therefore, meant an increased subsidy to the school district of Philadelphia.

Getting into the qualifications of the gentlemen, let me just speak generally. However, I would like to speak specifically in regard to Mr. John Bevec.

Mr. Bevec is a graduate of—

The PRESIDING OFFICER. Will the gentleman yield for a moment?

The Chair now recognizes Senator Ehrgood. For what purpose does the gentleman rise?

POINT OF INFORMATION

Mr. EHRGOOD. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Lebanon, Mr. Ehrgood, will state it.

Mr. EHRGOOD. Mr. President, is it not the nomination of Herbert J. McGlinchey that is now before this Body?

The PRESIDING OFFICER. The only nomination before this Body at the present time is the nomination of Herbert J. McGlinchey.

Mr. LANE. Mr. President, the reason I am speaking along this particular line is that I must answer Senator Ehrgood's statement of yesterday. In his statement, he appeared to indict each and every member of the Tax Equalization Board as being political in their approach. He also said there appeared to be a suspicion throughout the Commonwealth. Therefore, in all fairness to me, I feel that I should have the right to defend these gentlemen, one at a time, because that is going to end it anyway.

The PRESIDING OFFICER. The Chair definitely is of the opinion that the Senator will have an opportunity to defend each individual as their names appear before the Senate for confirmation. However, the Chair is of the opinion that inasmuch as Mr. McGlinchey's name is the only one before the Senate at this time, he would request the Senator to restrict his remarks to Mr. McGlinchey.

Mr. LANE. All right, Mr. President.

In speaking of Mr. McGlinchey and his qualifications, let me say that the Tax Equalization Board of Pennsylvania has an advisory council which advises Mr. McGlinchey in regard to the duties of his office.

One of the members is Doctor Charles F. LeeDecker, Chairman of this Council. Mr. LeeDecker is the Executive Director of the Pennsylvania State Association of Boroughs, with offices at 506 State Street Building, here in Harrisburg.

One of the other advisers to Mr. McGlinchey is a very, very distinguished gentleman from Philadelphia, with whom I happened to work quite a number of years ago, in the person of Doctor Alfred G. Buehler. Doctor Buehler, as you know, is an economist at the University of Pennsylvania.

Another one of Mr. McGlinchey's advisers is Doctor H. LaRue Frain, also from the University of Pennsylvania; and Doctor Donald S. Murray, Administrative Director and Associate Professor of Statistics at the University of Pennsylvania.

Doctor A. M. Woodruff, also one of Mr. McGlinchey's advisers, is a Director of the Bureau of Business Research, University of Pittsburgh, Pittsburgh, Pennsylvania.

Another one of Mr. McGlinchey's advisers is Doctor David H. Kurtzman, Assistant Director and Director of Research, Pennsylvania Economy League, 1029 Union Trust Building, Pittsburgh 19, Pennsylvania.

Then we have Mr. M. M. Chudy. He is President of the Municipal Assessors' Association, City Assessor's Office in Johnstown, Pennsylvania.

We have Mr. Andrew S. Bullis, Director, Bureau of Municipal Affairs, Department of Internal Affairs, Harrisburg, Pennsylvania.

Last, but not least, Mr. John J. Hertz, who represents the Pennsylvania School Directors Association, 410 North Third Street, Harrisburg, Pennsylvania.

I am wondering, in my mind, when someone makes an accusation in regard to political chicanery concerning assessments, whether these gentlemen whom I have named would be part and parcel to such a conspiracy. I can hardly visualize that any Member of this Senate would agree that these gentlemen would be a party to any political chicanery when it comes to assessments. As a matter of fact, I hardly believe that it is possible to do so because of the make-up of the Tax Equalization Board of Pennsylvania. They have had some restrictions, and they have worked under an extreme financial hardship.

As a matter of fact, in my interrogations of all three members of the board, including the gentleman about whom we are speaking now, in our Caucus, we went over, in detail, their method of obtaining the market value of properties in any political subdivision here in Pennsylvania.

In addition, Mr. President, I might say that, as most of you know and I am sure as Senator Ehrgood knows, every board of commissioners in every county of Pennsylvania must each year submit a complete list of the assessed valuations of their various counties, showing the percentages. I believe one list goes to the Department of Public Instruction, if my memory serves me correctly, and the other list goes to the office of the Secretary of Internal Affairs. It seems to me that it would be quite difficult for

the Tax Equalization Board to twist, in any manner, those assessed valuations as broken down and submitted by the various boards of assessment and review, which are, in most cases in counties from the fourth to the eighth class, the county commissioners.

In addition to that, Mr. President, I am very familiar with the State Tax Equalization Board, because I happen to be a very close friend of Mr. John O'Neil, who resided in my county and now represents the League of Cities. John O'Neil served on the State Tax Equalization Board for quite a number of years. Now what they do in regard to market values is visit the various Recorders of Deeds Offices. Their representatives will pick out the properties that were sold for that year and they will then take the Federal tax stamps which are on the deeds which show the actual sale price. They compare the sale price of that property with the assessment which applies to that property in that particular county. How in the world they could ever juggle any figures is beyond my imagination.

I would like to say that these gentlemen, and Mr. McGlinchey included, have been very unfairly attacked on this floor, because prior to 1955 there was a laxity in the operation due to the fact that there was an over-all plan under the Administration of John S. Fine to eliminate the Tax Equalization Board.

Most of you Members remember when the Chesterman Commission was in operation. Most of you Members remember that the Chesterman Commission put forth a report in which they requested the abolition of the Tax Equalization Board. When the matter came to a vote on the floor of this Senate—as a matter of fact, I believe that Senator Wagner was the one who offered the Chesterman Report to the Members of the Senate at that time—we went into detail in regard to the merits of the Tax Equalization Board, and it was determined by a majority of the Members of the Senate, at that time, that this Board served a very useful purpose. However, they were being hamstrung financially under Republican Administrations because Governor Fine, at that time, did not feel that the Tax Equalization Board should be properly financed. The result was that things were lagging for a long time.

Then, in 1955, the time came to reappoint this board and I believe that every Member of the Senate voted for the nominees, which included Mr. McGlinchey, John Bevec and the other gentleman. They all voted for them. I think I am correct in that statement. I believe that even Bob Fleming voted for each member, as I recall, because I believe it was a unanimous vote.

Anyway, they were trying to do a good job. They came before the Senate Committee on Appropriations on several occasions. I believe their budget for the last biennium amounted to around \$625,000, which was for a period of two years. That included the salaries of the three members, the traveling expenses of their representatives and the over-all operation of their office. Many, many times, even under Mr. O'Neil's administration, they recommended to this Senate and to the House of Representatives that they have competent industrial appraisers. They were not in a position to intelligently appraise any commercial property of any great size whatsoever, because they did not have the wherewithal and they did not have the professional personnel to do this job.

When anyone gets on this floor and says that there is a tinge of politics in this, I would say as a very close

friend of the chairman, who is the boss, so to speak, of Mr. McGlinchey, that that could not possibly be the case, because the chairman of the board, for whom Mr. McGlinchey works, is a technician. He is a man who majored in accounting and a man who knows assessments backward and forward. He has worked with them practically all of his political life. He is a man who has held many major positions of great responsibility in county government. Even here in this Senate, I have heard many Members say that he is so competent and he is such a hard worker that they admire him for his interstitial fortitude. He is a man who is not a tete-a-tete man. We have lots of tete-a-tete men around here. We had them under the Republicans, and we always will have them I guess. This is not the case with the chairman of this board, for whom Mr. McGlinchey works.

Therefore, I cannot visualize any chicanery on his part. If there is no chicanery on his part, there could not be any on the part of Mr. McGlinchey.

Speaking of Mr. McGlinchey personally, frankly, I do not know him too well. I have met him on many occasions. He impresses me as being a very fine chap. When this Committee on Executive Nominations takes the position of reporting these names out in order to belt them down and to butcher them, they are trying to degrade the character of these men.

When we do things like that here in this Senate, it seems to me that we are making sure that competent people will not work for government. I would not blame people for not taking positions here. If the committee did not like these men, they should have kept all of their names in committee and that would have been that. If you bring them out here tonight and you knock them down on this floor, no matter how much I may talk, no no matter how much every Member of this Senate may talk in regard to their qualifications, a lot of people are going to think that there is something wrong somewhere and somehow. These men are going to be the victims of politics.

I have heard Governor after Governor talk about competent personnel. Let us protect the professional men. Let us put them under Civil Service. We have a difficult time in holding good men. Well, here is one of the examples. As a matter of fact, if you gentlemen do not confirm John Bevec tonight, you are going to hurt that man forever and ever and a day, because he is a very sensitive person. He is the type of man who cannot stand things like that, and it is very unfair because he has done a marvelous job. Republicans on the other side have told me many, many times what a fine job that fellow was doing.

Therefore, it appears to me that there seems to be some sort of a trick, some sort of a conspiracy, if you please, to bring these men up and knock them down, and then let the public say: Well, there must be something wrong or they would have been confirmed by the Senate." A lot of people throughout Pennsylvania do not understand the political chicanery which takes places here in this Senate. I am not saying I am above politics; No. We are all politicians or we would not be here. At the same time, there is a code of ethics in all things.

The only man I remember whose name was reported out on this floor and knocked down, in all my political

experience here in this Senate, was Admiral Draemel. I cannot remember one other man. Of course, you have killed off a number by keeping them in committee. However, I mean to bring them out and really chop them down. The only man I can ever think of is Admiral Draemel. I believe the Republicans, themselves, wanted to lick Draemel.

If you will check into the record, you will find that I voted for Draemel because I felt it was a dirty, rotten, lousy, lowdown trick, and I think the same tonight. When we do things like that, we are not doing the right thing.

If you gentlemen on the Republican side do not like Herbert J. McGlinchey, if you do not like Mr. Gardlock and if you do not like Mr. Bevec, the honorable thing to do is to recall their names, take their names back into committee, all three of them, and kill them off. Do not report their names out. I think that is the fair thing to do.

I know if I were in the majority and I had anything to say about an operation like this, that would be the position I would take.

If you gentlemen hope to put some Republicans on the board, that is all well and good. We know that this is a political game. If you want a minority member on there, that is your business. If you can get him on, so much the better. You will not find us over here attacking him; not at all.

I am not going to talk too much longer, but I thought I should give you some background on the State Tax Equalization Board.

Mr. President, in closing, I would like to say on behalf of Mr. McGlinchey that he may be the secretary of a powerful political leader in Philadelphia, but there is nothing wrong with that. There is nothing wrong, whatsoever, with him being a secretary to Bill Green. There is nothing wrong with George Bloom being a secretary to somebody or being the Chairman of the Republican Party of Pennsylvania. George Bloom, in my opinion, is an honorable man. I like George Bloom. He is from my county. I would never sit in this Senate and allow anyone to jump on him. I would defend him as a gentleman. He has a right to be the Chairman of the Republican Party in Pennsylvania. Mr. McGlinchey has a right to be the secretary to Bill Green. I imagine that is who it is, although I am not too sure and it may be McCloskey or somebody. There is no disgrace in that. Sure, Mr. McGlinchey was put on trial, but he was acquitted by his peers and by the court. Therefore, I do not think that should be held against the man. I think it is wrong and I think it is purely political. I think you boys want to knock him down in order to show the Governor and the Administration that you mean business.

I think you are doing this as a preliminary approach to the release of the commissioners whom you have over here on the Public Utility Commission. It seems to me that that must be the approach, but why would you pick on three insignificant officers by making such a big fuss over them and bringing them up in order to knock them down? They do not amount to that much. They do not have any patronage to amount to anything, while the Public Utility Commission does. Are you trying to put the fear of God into the hearts of the Democrats, the Governor and anyone else by knocking these gentlemen down? Are you trying to let us know that you want a deal with the Public Utility Commission; that you want

one and will give one to us? Is that the approach? I cannot figure out anything else.

Surely, with the old hands that you have over on that side, the politically astute politicians, you are not going to go in and do anything stupid. I do not say that you are stupid. I say that you are all very astute. You have done a lot of maneuvering here. It seems to me there must be something else beside the confirmation of McGlinchey, Gardlock and Bevec.

Mr. President, I now yield to Senator Seyler.

POINT OF INFORMATION

Mr. SEYLER. Mr. President, I rise to a point of information. After I state my point of information, I would like to continue to be recognized in order for me to speak on the question.

The PRESIDING OFFICER. The gentleman will state it.

Mr. SEYLER. Mr. President, during the evening, the Majority Leader had occasion to offer as evidence the fact that there was a citation in the History of the House. He cited that as evidence of a fact. I have nothing to say against the History of the House, as evidence. I think it probably is a well kept history, but I would like to suggest that if that is evidence, then surely the History of the Senate is evidence. I would like to call to the attention of the Chair, and to any other Members who are interested, page 330, of the current volume of the History of Senate Bills. I would like to read from page 330, which contains a list of Executive Communications presented to the Senate, under the heading of "State Tax Equalization Board," the third item there, as follows:

"Herbert J. McGlinchey, Philadelphia.

"Nomination presented to Senate, November 16.

"Referred to Executive Nominations, November 16.

"Confirmed, November 19. (Vote 50-0)"

Mr. President, I would like to ask the Chair whether, in view of the fact that the History contains the record that Mr. McGlinchey has already been confirmed by a vote of fifty to nothing, all of this trip was unnecessary.

The PRESIDING OFFICER. Will the gentleman now state his point of information?

Mr. SEYLER. Mr. President, my point of information is to inquire why we are debating the confirmation of the gentleman when, according to the record, as presented by the History of Senate Bills, he has been confirmed by a vote of fifty to nothing.

The PRESIDING OFFICER. The Chair is of the opinion that the History is not an official record or document. There is no question of the truth of what the gentleman read. The explanation for it is very simple. It is a printer's error and will be corrected in the next week's issue of the History.

Mr. SEYLER. Mr. President, I will accept the Chair's word that that is the fact. As a poor back-bencher, I, of course, am guided in my study of these things by what I find in the History.

Mr. President, I shall now proceed with some remarks which bear on the remarks previously made by the gentleman from Lebanon. If the gentleman was allowed tolerance and leeway in his remarks, I would ask the Chair

that the same tolerance and leeway be extended to me in reply to the gentleman.

The PRESIDING OFFICER. To which gentleman are you referring?

Mr. SEYLER. Senator Ehrgood, Mr. President.

The PRESIDING OFFICER. The gentleman will proceed and the Chair will caution the gentleman if it feels that he is going far afield.

Mr. SEYLER. The Chair may be sure that I shall not do anything except answer the gentleman's remarks.

Mr. President, the remarks made by Senator Ehrgood, yesterday, carried a note, or a mood, which it seems to me was a dangerous one and one which, if it is to stand as the opinion of a Party or of this Senate, is prejudicial to the fair and adequate financing of the schools of this Commonwealth.

I would begin by saying, Mr. President, that the gentleman from Lebanon, in implying and stating that the Tax Equalization Board decides upon the distribution of funds to schools of the Commonwealth, was in error. I think he realizes that the funds are distributed according to an objective formula, that the Tax Equalization Board has no voice in that formula and that only the Legislature can alter the distribution of funds. The Tax Equalization Board, Mr. President, is purely a fact finding board. Its job is to ascertain, throughout the counties of the Commonwealth, what the market value of real estate is.

In pursuing this task, the Tax Equalization Board has a staff. The staff is headed by Mr. Fox who, I believe, has been an incumbent in that office for many years, prior to the Administration of Governor Lawrence and prior to the Administration of Governor Leader. As usually happens, this gentleman and his staff perform the actual work of gathering together the data upon which the report the State Equalization Board is based.

Furthermore, Mr. President, as my colleague from Washington County has already related, this committee is advised by a board of distinguished citizens of Pennsylvania. They are not only distinguished citizens, but they are gentlemen who are experts in the various fields which contribute; namely the field of assessment, the field of education and the other fields which are affected.

When the gentleman from Lebanon states that, in his opinion, the report of the Tax Equalization Board is guesswork, Mr. President, the gentleman states his opinion against that of a distinguished list of citizens and against that of a staff which has been in office for a long time, headed by a gentleman who, apparently, has had the confidence of at least three Administrations, in addition to the members of the Board. This Board does not make policy. It surveys the situation and it prepares a report of its findings.

Mr. President, the gentleman also knows that there is protection by appeal; that any district, which feels that the findings are not correct, can go to the Board and ultimately, if it so desires, it can go further, to the courts, to determine whether or not the figures handed down are actually correct.

The gentleman, in his remarks, stated that sixty-two counties had suffered losses. The gentleman knows that this statement does not tell the whole story. Within many of the sixty-two counties, there were districts which gained as a result of the changes in the market values,

which were a fact and which were reported by the Tax Equalization Board.

The gentleman, finally, has made the accusation that the activities of the Board brought politics into the affairs of the school districts. Mr. President, I believe, by the facts, this is not true. I have personally interviewed at least two members of the Advisory Council, both of whom are members and are gentlemen in whom I have great confidence. I am assured by them that this is not the case. However, Mr. President, politics has been brought into the manner in which the funds of this Commonwealth are distributed to school districts. It has been brought in by the action of the Majority Caucus and, particularly, by the gentleman from Lebanon who made these accusations.

I say, Mr. President, that the purpose of this action that we are having today is punitive. It is to punish the Board for reporting the findings which they brought forth, based on the facts. I say that if we, as a Legislature, are going to set up boards and ask them to report on the facts they find and then turn around and intimidate and terrorize the members of those boards by threat of dismissal and by threat of nonconfirmation, then it becomes political. That is throwing the matter into politics. Therefore, politics has been brought into the distribution of funds to the school districts of the Commonwealth. However, it has not been brought in by the Tax Equalization Board. It has been brought in by the action which has been taken here today. I point out to you that nothing, so far, has been given as any reason for this action. No facts have been presented to this Body. The gentleman from Philadelphia, the Minority Leader, has tried to adduce from the chairman of the committee or any other Member any fact which would bear on this problem as to the personal competence of the nominees. None has been forthcoming. We stand here today with only the statement of the gentleman from Lebanon that this is being done because the Tax Equalization Board brought forth a result which he did not like and which, presumably, the Majority Caucus, for which he speaks, did not like. If that is not politics, then I do not recognize politics. I say to you that if this action goes through, every board in the future, or every appointee to a board who is awaiting confirmation, will be in fear and will be afraid to bring in a fair and unbiased report, if it does not happen to suit the tastes of the gentleman from Lebanon and his colleagues in the Majority Caucus.

This will destroy the usefulness of the Tax Equalization Board. Why should we have a Tax Equalization Board if the members are to be afraid to bring in their findings because it will result in roughshod political action? They will be punished for bringing in the findings which their facts supported.

Mr. President, I think this is the serious part of what is going on here today. I do not think the importance of this matter is how long this affair is taking. I do not think the importance of this matter is all the maneuvering which is occurring here; expressing great haste on the part of one side of this Senate and, allegedly, "dilatatory" tactics on the other. The important thing here is that here is a barefaced and ruthless attempt to punish men who have done their job according to their rights, and who have brought forth the facts and have been supported in

this by a staff and an Advisory Council which, to my mind, is above reproach.

Added to that, Mr. President, I am informed—and I am sure I will be corrected if I am in error—that two of the members whose names are being offered, namely, Mr. McGlinchey and Mr. Gardlock, were not active on this board at the time when the results of this board were determined. In other words, two men are being indicted for actions in which they had no responsibility. Mr. Bevec is the only member of the board who was there at the time these were made. It is manifestly unfair, Mr. President, it seems to me, to bring action like this against a board, from which nothing can be adduced—and nothing has been—except the fact that they have done their duty and that the Majority Party in this Senate does not like the results.

Mr. President, I would like to yield to the gentleman from Philadelphia, Senator Silvert.

Mr. SILVERT. Mr. President, after the remarks made by my two predecessors, there is very little which I can add.

I do arise because Mr. McGlinchey is a resident of my Senatorial District. I have known him for approximately twenty-five years. The only accusation which I know that can be reported against the man is that he has been politically active. He is a former Congressman. He was appointed and confirmed to the same job, four years ago, by a vote of fifty to nothing. When certain accusations were brought against him, he was man enough to send in his resignation to the Governor and say: "I am going to clear my name, and when I do, if you see fit to reappoint me, you can do so."

There is no question about the fact that when his case came up, the trial judge said there was not even enough evidence to go to the jury and that Mr. McGlinchey had been falsely accused. He was, therefore, acquitted by the trial judge.

Mr. President, I go back again to the remarks, as read back tonight and made by Senator Ehrgood, that there had been a deliberate attempt to make large distributions to the metropolitan areas and that politics were involved.

Of course, it has already been mentioned that at the time the valuations were arrived at, for the year 1959, Mr. McGlinchey was not a member of the Tax Equalization Board because he had sent in his resignation. That is point number one.

Point number two, as to the actual accusation of political influence, let me give you a few figures. Let us not have the impression that only Philadelphia and Pittsburgh benefited by the new evaluations. It is true, Philadelphia benefited to the extent of seven per cent and Pittsburgh to the extent of three and one-half per cent. However, let us take Hazelton, for example. For school districts in Hazelton, the valuations were reduced by nine per cent; Altoona, by five and one-half per cent; Nanticoke, by over ten per cent; and Lebanon City, by over five per cent, which is in Senator Ehrgood's District. In Lebanon County, eight districts were reduced in valuations. Avalon and Bellevue, in Senator Fleming's District, were reduced in valuations. Chambersburg, Greencastle and Waynesboro all received reductions in valuations and they are in Senator Elliott's District. In Luzerne County, Senator Flack's District, over twenty districts received reductions

in valuations. In Schuylkill County, Senator Wagner's District, thirty school districts received decreases in valuations.

Let us take some of the Democratic centers like Erie City. In Erie City, there was an increase in valuation. Scranton, another Democratic city, received an increase in valuation. Westmoreland County, a strong Democratic County, received an increase in valuation of eight per cent. Bethlehem, another Democratic city, received an increase in valuations.

Mr. President, coming back to Philadelphia, we have been assessing our central city property at eighty to ninety per cent of its value. Recently, the Chamber of Commerce Survey showed that the assessments were too high and appeals had gone into court for reductions. Today, Philadelphia has an annual budget of \$100,000,000. Time after time, they have been forced to come to the Legislature to receive the right for additional taxation. It has only been in the past two weeks that we, here in the Legislature, voted for the school district in Philadelphia to levy additional local taxes, amounting to some \$8,000,000. We receive from the Commonwealth less than thirty per cent of the cost of our education in Philadelphia. We know that the average is above fifty per cent and some districts receive ninety-five per cent of the cost of their education.

Mr. President, I, therefore, feel that, as Senator Seyler said, the only politics involved in this matter are the politics being played by the Republican Majority here in this Chamber.

I now yield to Senator Donolow.

Mr. DONOLOW. Mr. President, there is very little left for me to say and I guess I would be in very good shape if I were to just say "Amen" to everything that has been said by my colleagues and then sit down. However, Mr. President, in order to keep the record straight, I would just like to make two observations in order to correct my friend from Lebanon.

First of all, Mr. McGlinchey is not and never has been a secretary to any political boss in Pennsylvania. If the gentleman was referring to Bill Green, then I wish to state that Herbert McGlinchey has never been secretary to Bill Green. If the gentleman is referring to the Democratic organization of Philadelphia, I would also like to state that Herbert McGlinchey has never been secretary to the Democratic organization of Philadelphia. If the gentleman is talking about any other Democratic leader in Philadelphia, whether it be John B. Kelly, Matt McCloskey or Jim Clark, I would like to state that Herbert McGlinchey has never been Secretary to any of these gentlemen.

When my friend from Lebanon again takes the floor, I would like to have a clarification as to which political leader he referred to because we, from Philadelphia, are at a loss to know in what capacity he is serving or with whom.

In reference to the assessments, Mr. President,—I am particularly referring to the city of Philadelphia—it may be interesting for the gentleman from Lebanon to know that those assessments were arrived at by our Board of Revision of Taxes, which has the duty and obligation to first secure the assessment figures. The Board of Revision of Taxes of the city of Philadelphia is a Re-

publican-controlled commission, appointed by the Board of Judges. It is headed by a Republican, who is doing an excellent job; namely, Mr. Joseph Burns. The majority members of that commission are Republican. The Democrats are in the minority. Therefore, if the Tax Equalization Board secured figures which were certified from the Board of Revision of Taxes, they came from the Republican board operating in Philadelphia. If there were any politics involved, they were on behalf of the Republican-controlled board in Philadelphia which was playing politics.

At this time, Mr. President, I want to say that I will defend that Republican board, as well as the Democratic minority members, by saying that they looked at this without politics and they took the valuations which they found to be fair and just.

Those of us who have holdings and others who have invested in Center City Philadelphia realize the amount of vacancies which are now existing in the city of Philadelphia. The Board of City Trusts, which operates Girard College and the Steven Girard Estate, is now going through a great deal of loss because of the holdings in center city property with the great amount of vacancies which are now existing. If there was a reduction in the valuation of center city, it was because of the trend of business, which is now taking place in the heart of Philadelphia, to migrate to the outlying districts of the shopping centers. Therefore, those reductions were justified by the Board of Revision of Taxes.

Mr. McGINNIS. Mr. President, a quarter of a century ago, I came into this Senate and I am still here. I want to say that I have tried to do the right thing every day that I have been in this Senate.

Right now, I want to hear from the other side concerning anything they have against this nomination which we have before us.

I live in Pittsburgh. I was born in Potter County. I remember the first day when I came into this Senate, twenty-five years ago. I was sitting there where Senator Rooney, that quiet gentleman, is sitting. I was no more than seated there when G. Mason Owlett came over and sat beside me. He said: "Senator McGinnis, I understand you were born in Potter County, in my Senatorial District." I said, "Yes." He said: "I am proud of that. We now have two Senators from that District."

I want to say a nice thing about Senator Berger. He lives in Potter County, where I was born. He has repeated a number of times since that he was glad that we have two Senators from his District.

Mr. President, last night, I heard some remarks made here by a young Senator whom I admire. He said that he was suspicious of politics in Mr. McGlinchey's nomination.

I am going to make a speech here tonight, again, on suspicion. For many years in this Senate, I have been requested to make this speech. I was first requested by Senator Walker, who was the leader of the Republican Senate and who is now County Commissioner of Allegheny County, and a good one, too.

The PRESIDING OFFICER. Will the gentleman yield for a moment, please?

Mr. McGINNIS. Yes, sir.

The PRESIDING OFFICER. The question before the Senate at the present time is on the confirmation of Her-

bert J. McGlinchey. The Chair has attempted to be very lenient in the latitude with which it has permitted various Members to discuss the qualifications of Mr. McGlinchey. The Chair would like to request Senator McGinnis to adhere to the issue before the Senate at the present time, which is that of the confirmation of Mr. McGlinchey.

Mr. McGINNIS. Mr. President, that is what I am talking about. That is what Senator Ehrgood talked about last night.

The PRESIDING OFFICER. The Chair would agree that any Senator most certainly might speak on the comments made by other Senators on this very important subject. However, the Chair would have to request any Members of the Senate, who might take the floor to speak, to restrict their remarks to either the remarks which were made by other Senators on this problem or on the qualifications of Mr. McGlinchey, himself.

Mr. McGINNIS. Mr. President, many times I have made a speech on this floor about suspicion. Last night, Senator Ehrgood said that he was suspicious that Mr. McGlinchey was a political appointment. I am going to talk on that right now.

As I mentioned previously, for many years in this Senate, Senator Walker, who was the leader of the Republicans over there for awhile, asked me to make a speech on suspicion, the same as I made before a jury in the Federal Courts of Pennsylvania. I will relate a small part of it now, again.

Mr. President, during prohibition, there were thirty men indicted. These men consisted of the "Alcohol Ring." These thirty defendants were tried for thirty days. I represented two young men who worked in a garage. There were twelve lawyers and I was one of them. After thirty days of argument and trial, I was the last lawyer to speak. I leaned over to the jury and said: "Ladies and Gentlemen of this Jury, I am going to tell you now that the ugliest word in the English language, even though we do not have a dictionary here, is 'suspicion'."

Yesterday, that young Senator over there, whom I admire very much, said that he was suspicious that Mr. McGlinchey was a politician. Let me tell you that when you have suspicion, you have no facts and no basis on which to object. Mr. President, "suspicion" is the ugliest word in the English language. The word "suspicion" means to suspect. Because of suspicion, Congressman McGlinchey is not to be confirmed in this Senate of Pennsylvania. I am hurt, surprised and amazed that this young Senator over there would come into this Senate and object to any nominee on suspicion. There are no facts behind suspicion; there is just suspicion, the dirtiest word in the English language.

Mr. EHRGOOD. Mr. President, first of all, I do apologize to Senator Donolow if I stated that Mr. McGlinchey was secretary to someone. Who I meant was Bill Green. I do apologize. He is just a first lieutenant.

Mr. President and Members of this Senate, I do appreciate what Senator McGinnis was trying to put across because I believe in the general tenor of what he was saying, too. What I object to in this nomination—and this will probably apply to the others—is the lack of confidence in the nominee whom the Governor has put forth. I say that because, as the gentleman from Washington has pointed out, Lebanon County has lost, in market

value, according to the figures of the State Tax Equalization Board, about \$4,500,000. However, those figures do not reveal the full impact. It just so happens that there is in Cornwall Borough, in Lebanon County, the Cornwall Ore Mine. The Cornwall Ore Mine lost \$1,000,000 in market value. Gentlemen, Cornwall Borough could lose \$10,000,000 in market value and it would not mean the slightest thing because it still would continue to receive the minimum of \$1,000 in reimbursement.

My lack of confidence arises because of some personal knowledge which I do have of what occurred as a result of these findings. I do live in Lebanon County and I do have some knowledge of what the valuations are there, myself. Let me just give you an illustration on why, therefore, we could call it suspicion or we could call it lack of confidence. After all, it is just various terminology.

In Heidelberg Township, in Lebanon County, the market value, in 1958, was found to be \$7,029,400, as opposed to the 1957 market value of \$5,753,800. That is representing a gain, by these "findings"—and I put that in quotation marks—of \$1,275,600. Heidelberg Township is a rural community. Suddenly we find, in one year, that it has jumped in market valuation by \$1,275,600. That is not so strange. That could happen. However, right next door, there is a place called South Lebanon Township, in which I lived until 1956. In South Lebanon Township, the property values were very, very under-assessed. I was amazed when I bought my house there, in 1952, at the valuation of it. I was also amazed at the very low taxes which I paid. The findings of the State Tax Equalization Board were that there was a decrease in valuation for South Lebanon Township of \$734,200, in 1958, over the 1957 findings.

South Lebanon Township is immediately outside of the city of Lebanon. A tremendous impact of growth has taken place in that township. It also adjoins Heidelberg Township. I cannot understand how I can have any confidence in the juggling of figures and the finding of figures such as those I have described.

We have heard a great deal about advisory boards. We can have all the advisory boards we want in this Senate and in this Commonwealth and in these United States. I happen to be an attorney and I have some clients. I can give them all the advice I want to, but if they do not take it, it does not do them any good. Some times they find out, to their sorrow, that they should have taken that advice. Therefore, the mere fact that we talk about advisory boards does not mean one thing if they do not do anything and if they do not have any real power.

Mr. President, I would like to state that it is a fact that the State Tax Equalization Board does not have any expert staff to go around and take real samplings throughout the Commonwealth. I do not say that this is the Board's fault, but that is a fact. This all leads me to say that if there is any doubt—at least, there is in my mind—in the job which the members of the State Tax Equalization Board have done, then it seems to me we should not confirm them because we are dealing with schools and the importance of those market values to the local school districts, which are used in the computation of their reimbursement fractions. If we have any doubt or any lack of confidence in them, then I say we should vote against them. That is my personal opinion and that is why I will do so.

Mr. WEINER. Mr. President, I listened very carefully

to the gentleman's remarks. I am just wondering whether the gentleman paid careful attention when the gentleman from Washington, Senator Lane, was speaking. I understood, from the remarks made by the gentleman, that there was nobody on the Advisory Council to the Tax Equalization Board to whom he objected. If he does object to any of the members, I wish he would tell us which ones.

They are all people with good backgrounds and have served with the Municipal Assessors' Association, the State Association of Boroughs, the University of Pennsylvania, the University of Pittsburgh, and one gentleman is the Director of the Bureau of Municipal Affairs, and so on and so forth.

I believe the gentleman also read the report, which was placed on his desk some time ago, in which this council, during 1955, made a complete study of the Board and its methods. One of the principal problems which the Council felt it had to deal with was the problem of the tight secrecy which always existed behind the Board's operation. Also, it was very difficult to ascertain just what method the board used in arriving at the figures which it did. I read from the report, as follows:

"The board and staff also took major steps to improve statistical procedures. Most of the work of this committee has dealt with these procedures and the problem encountered both in the statistics and the nature of the real estate market."

In answer to the gentleman's question as to why these figures have jumped so suddenly, it is because the Board has not kept pace. If the gentleman will look back, he will find that in the past two budgets, previous to the present one, they have received a cut every time they have appeared. Therefore, they were unable to get a decent staff and do a decent job. For the first time, they have done a complete job. As a matter of fact, if you will remember, they appeared before the Republican and Democratic Caucuses and explained what their problems were.

I think you will recognize that there has been a shift in the population. That is not only true in the city of Philadelphia or the city of Pittsburgh, but it is true throughout this Country. People are moving to the suburban areas and getting away from the cities. The cities are trying to rebuild. Take, for example, Allegheny County and the city of Pittsburgh. They just built, at the Triangle, the large Hilton Hotel, which was never there before. All they had was a vacant piece of ground. Now, they have an assessable item which was never there before. This will also tend to change the picture as it exists.

I think you cannot discount this thing. I think if you check, in your own county, the cost of living and also the real estate values from the year 1956, if you lived in that county until now, you will find that they have done nothing except go up. In many areas, the center cities have been dying. This is one of the reasons why the cities have been trying to get redevelopment money, in order to rebuild these areas so that the core or the heart of the areas do not go completely to pieces.

For the first time, we have an honest and more detailed set of figures than we ever had before. That is the reason why the values have changed. It is not because they have not been changing and now it has been drastically done. It is just that the Board has not kept pace with what has been going on.

To expend your venom on the Board because of what the board has done, which has been authorized by the Legislature to be done, I think is sort of an odd way to attack a problem. It is going indirectly to attack a problem in a way which you can do directly.

Mr. LANE. Mr. President, I will be very brief, but I think that this should be explained.

In the first place, you see, as far as assessments are concerned, where you have great activity in real estate, naturally, there are going to be more deeds filed in that particular county for that particular section. The result is that you are going to have an increase in market value in that particular area.

Take a static section, a section where there is no great activity in real estate. In that type of section, it is pretty hard to determine market value for the simple reason that there are not a great number of transfers. Let us take for example, Senator Ehrgood, East Washington, which is in my county. East Washington is quite an exclusive section of our county, and the very wealthy people reside in that particular area. As a matter of fact, I do not believe there has ever been a great number of transfers in that particular area. The result is that it is static. Sometimes people wonder why these large old-fashioned homes, which are very, very expensive, have such a low assessment or a low market value. It is because they were built probably fifty years ago and, at that particular time, those properties could be built for possibly a fraction of what it would cost today.

Let us take a newer section. Let us take the section adjacent to Mount Lebanon, which is Peters Township. It is being built up quite rapidly, and they are building expensive homes. Naturally, they have a high market value and their assessments are terrifically high. I hear complaints every day about the conditions there. However, there is not too much that can be done about it.

The only way the Tax Equalization Board can ever equalize the properties in Pennsylvania is if they are given competent appraisers. It would take competent appraisers to determine the market value of the properties in East Washington, and they would have to get the multiple value of that property, and that would be an expensive job. Therefore, it is not perfect and it cannot possibly be perfect. I do not think it ever will be perfect. However, I do say to you that the Chairman of that Board is one of the most able men who ever hit Pennsylvania when it comes to assessments and the operation of assessments and market values. He is not the type of fellow to go around making any shenanigans in regard to changing valuations. That man served as my chief clerk for eight years. He served as county treasurer, deputy recorder of deeds and deputy controller. He served as chief of the board of assessment and review, and he did a mighty fine job. I resent very much any criticism of John Bevec's activities, because he is here from Monday until Friday, from nine to five. He is always available. You could not get him to change anything. I could not either. That is the kind of a guy he is.

Mr. MULLIN. Mr. President, I wish to add my voice in protest to what has taken place here this evening. Frankly, I am not pleased. I do not like what is being done.

I heard our colleague from Lebanon accuse this Board of juggling figures without one bit of evidence except

his own report which was based, presumably, on the facts which came up naturally from the records of Lebanon County.

We are here penalizing people for doing their job. I think we have come to a pretty bad state of affairs when we have public servants doing their work conscientiously and being penalized by being cast aside. This is not the first time in the short time that I have been in Harrisburg when I saw innocent men being attacked and cast aside for no reason at all other than that they were doing a job well. However, some political advantages seems to be the goal of these actions.

Sometimes people, who are individually fine people, are called upon to do a dirty job and this is, in my opinion, a dirty job. I think that when you are digging a grave for someone else, perhaps the grave may be your own.

This is, in my opinion, a desperate act, one of the first and last desperate acts of a failing cause. The precedent which we are setting here tonight can very often come back to haunt the people who are committing the act. I think that this political advantage which we are seeking tonight is a fancied advantage and will not turn out to be a real one.

As Lincoln said in his Second Inaugural Address, "There is a law of retribution." I do not like to see that forced into effect. When Lincoln said that the Civil War consumed as much blood as all of the blood of slavery, and when he said that the destruction of the Civil War was equal to all of the advantage ever gained by all of the slavery of the past, that was retribution in operation. I am pretty sure that this kind of thing is being done here today.

I understand this is the first time in the history of the Senate that anything like this has ever been done. There may have been a rare occasion that I have not heard about. However, I am very sorry to see my colleagues doing the kind of thing which is being perpetrated here today.

Mr. McMENAMIN. Mr. President, I will not address myself to the remarks of the Senator from Lebanon because, as far as I can see, he has not said anything yet which has made any sense, and there is no use wasting any further time trying to refuse the arguments that he has made.

My Democratic colleagues have expressed considerable concern over the action that is about to be taken here tonight and, as a Pennsylvanian, I join with them in expressing their concern.

However, as a Democrat, I am not so pessimistic. In fact, I get a little more optimistic the more I think of it. I recall when I first came here eight years ago that the Republican Party enjoyed a registration lead in the State of Pennsylvania of over 1,000,000 voters. Today, that lead has almost vanished to the point where it is about to be wiped out. I cannot help but believe that one of the reasons why the Republicans have lost the advantage of 1,000,000 voters in Pennsylvania in the last eight years is just through the type of irresponsible, petty and childish politics that is being played in the action of the Republican Senate here tonight.

Therefore, as a Democrat, I am convinced that the Democratic Party will continue to go forward in Pennsylvania so long as this type of politics is carried on in

Harrisburg. I think that after tonight, the people of Pennsylvania will know that as far as the Republicans are concerned in Harrisburg, it is kindergarten politics, as usual.

Mr. MAHADY. I rise at this time, Mr. President, because I was encouraged by the words of Senator Fleming. I believe them to be true because he is an honorable man. He said that his committee and his Caucus—and his Caucus, in particular, is what I listened to—decided to place this name without prejudice upon the floor. Inasmuch as we are in a committee of the whole, the idea of that committee is for each member to present, as if to a jury, his reasons for not confirming or confirming a man for an office.

I have listened and I have heard nothing against Mr. McGlinchey as an individual. Therefore, it would seem that we have only one conclusion, and that is to vote for his confirmation. Not a single fact detrimental to that gentleman or his inability to hold this office has been presented to this group.

Of course, we have heard one indictment. That I will admit. It is based upon that medieval concept that the bearer of bad tidings is always put to death. I understood that went out even before the pre-Christian era; the idea that when a man brought you tidings that you did not want to hear, you cut him off and killed him. If that superstition is to rule here, and that is to be the basis, we have indeed retrogressed more nineteen centuries.

I say to you that the idea of suspicion of politics has been aired. There was a man from Westmoreland County, my county, on that commission, and yet Westmoreland County fared even worse than Lebanon County fared. If this raises a suspicion of politics, then certainly we have poor politicians on that board.

Let me tell you the story that Goethe tells of suspicion. My father told it to me when I was a wee boy. It is the story of a traveler going towards the Black Forest as it was getting dusk. He was worried about where he would spend the night. Just as night closed in, he saw a small house and he knocked on the door, and the people welcomed him. They invited him to stay the night and to have dinner with them.

The father, the mother and the stranger sat down to dinner, and there was a small stool at the table which was almost too small for a child who could not walk. Halfway through the meal, a small, bonelike figure walked in and sat down on the stool. No one spoke to him and when he tried to speak to them, they stopped him.

That night when the stranger went to bed, he put his wallet under his pillow. He was just about asleep when the door opened and this little figure came into the room. The man grabbed his wallet and his gun, and shouted for help. The people of the house came running up the stairs and said, "Do not hurt him. Do not shoot him." They took him by the arm, and as they did so, he began to grow and grow. In fact by the time they were ready to take him out of the door, they could barely clear the door because he had grown so big. Nothing more was said, and the stranger spent a miserable and restless night.

The next morning when he came down to breakfast, no one said anything, but the small chair was vacant. Finally,

the stranger said, "Who is this little fellow who grows so large?"

The man of the house replied, "That is our suspicion. He is always with us, and when we recognize him, he grows so large that we have to take him outside or he is liable to wreck the house."

Suspicion we will always have with us. However, we must ignore him and keep him small or he will grow and grow and destroy us.

I say to you there is not even a jot of evidence of suspicion of political activity here. As I said before, if there was, they were poor politicians. With my county being represented on the board, we fare very badly.

Again I say, and I ask you to remember this, that when the Senator from Lebanon County said he was dissatisfied with things as they were, remember that the return of these figures, in a large part, depends upon the action of your county commissioners and how they run their assessment books. Their returns indicate to this board whether or not there was an increase or decrease, and the Board depends upon it to a large measure.

If there is a suspicion of political activity, look closer to home. Do not come here and say that your county is not run right, so we are going to persecute. We are going back centuries and saying that we will slay the man who brings bad tidings.

Yes, in this Christmas season, we are going to cause heartache not only to those people, but to their families. To Mr. McGlinchey we say that you are not fit because we do not like the results that someone other than yourself created. It is not fair. It is not right. It is not Christian.

And the question recurring,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

| | | | |
|---------------|------------|---------|----------|
| Camel, | Lane, | Miller, | Ruth, |
| Donolow, | Mahady, | Mullin, | Seyler, |
| Hays, | McCreesh, | Murray, | Silvert, |
| Kalman, | McGinnis, | Ripp, | Stiefel, |
| Kopriver, Jr. | McMenamin, | Rooney, | Weiner, |

NAYS—25

| | | | |
|----------|----------|------------|-------------------|
| Berger, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confar, | Kessler, | Shafer, | Walker, |
| Ehrgood, | Kromer, | Stevenson, | Watkins, |
| Elliott, | Madigan, | Taylor, | Whalley, |
| Flack, | Mallery, | Van Sant, | Scott, |
| Fleming, | | | Presiding Officer |

Less than two-thirds of all the Senators having voted "aye," the question was determined in the negative.

Ordered, That the Governor be informed accordingly.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, if this was not Caucus action, I am sadly mistaken. I think that the gentleman from Allegheny will readily concede that this was caucus action on behalf of this nominee.

NOMINATION OF RAYMOND E. GARDLOCK TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I now call from the table the nomination of Raymond E. Gardlock, 116 Marlboro Drive, New Kensington, Pennsylvania, for appointment

as a member of the State Tax Equalization Board, and ask that action be taken on his confirmation.

The nomination was read by the Clerk as follows:

MEMBER OF THE STATE TAX EQUALIZATION BOARD

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond E. Gardlock, 116 Marlboro Drive New Kensington, Westmoreland County, for appointment as a member of the State Tax Equalization Board until November 14, 1963, and until his successor shall be duly appointed and shall have qualified, vice Frank K. Cochran, Greensburg, whose term expired.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nomination?

Mr. MAHADY. Mr. President, Mr. Gardlock is from Westmoreland County. When I approached the microphone, I heard the call of "roll call" from the other side of the aisle. I am sure that if I were to be so mean as to interrogate a number of the Members on the other side, they would know nothing of Mr. Gardlock. I doubt if few of them know him. I would say to them, at least, before they ask for the roll call, that they do not prejudge. This is not the American way of doing things, to say that we heard something from a fellow, who heard something from a fellow, who heard something from someone else. Therefore, we are not going to confirm this man for this position. Or are they saying, when they ask for a roll call, that they have prejudged this man on a political basis? They are saying, "We will have none of the Governor's appointments just because the Governor made them." If either of those conclusions is true, I assume that I am losing my faith in the judgment and fair play of my fellow men.

When the name of Raymond E. Gardlock was brought to my attention, I called four men who are noted for civic activity in his community. They happened to all be Republicans. Two of them were leaders in industry, and two of them were bankers in the two banks in the community. I asked each one the question, "Would he make a good man for this position?" The summation, brought down to the minimum of words, and not quoting, is this: They said he has been head of the city. He has had his own assessment problems. He has fought with the county for equalization in his own city. He knows assessments, if anybody knows them. He has been a businessman in his own right and had his own business, and ran that business. He has been a councilman. He was elected mayor of the city three times.

I asked, "What is there against him?" One gentleman told me there was a man who served in the House for several terms, a Republican, who runs a newspaper in Allegheny County, and in his newspaper he declared Mr. Gardlock to be unfit. He never gave any facts. He just gave a conclusion. He asked the people to write in. He printed a form for them to fill out in his newspaper. He went out of his way to put a big advertisement in his own paper, saying, "Clip this out and send it to Senator Fleming and to Senator Pechan." The people were told to send the forms to the members of this committee in this Senate. People do that. Some people will do it even though they do not know what it is all about.

I chose six cards at random which I had received personally and called the people on the phone. I told them, "I must know, I must have some facts. What do you have against this man?" Those six people said, "Well, the newspaper said so." They said nothing else.

Gentleman, is it fair play, on hearsay evidence, to say that a man is not fit for office? Whether you say that is the reason or not, that is how people are going to interpret it. You are saying to all of the people in Pennsylvania, without examination, without going into the facts and without giving this man a chance to appear and face his accusers, that you will not confirm him. To my mind, that is not fair play. It is playing politics.

Mr. WEINER. Mr. President, the argument that has been used against Mr. McGlinchey is that he was a member of this Board when these things, which were objectionable to some of the Members, took place.

In the case of Mr. Gardlock, he was not even a member of the Board when these things happened. Therefore, what is the evidence which appears against him that he should not, at least, be given the opportunity to be heard? If there is such evidence, I wish one of the gentlemen on the other side would advise me. I hope there has not been any Caucus action taken on this nominee, but I am afraid this is like all other matters and will be acted upon in the same manner. I think probably the same vote can be recorded as was recorded before.

I think this is a rather dastardly way and a rather cowardly way of hiding behind the action of a group of people who have made up their minds about somebody, without coming to any kind of a conclusion based on any evidence being presented, and without, at least, giving the Members on this side the opportunity to examine the same evidence. Perhaps what has been said about them is true or it may be that what has been said about anyone of us here has been said by people who have reason to be jealous or have reason to feel that they have been in some way put out by some of our actions. However, to not be able to face them is certainly an un-American way of handling the basic problem that is before us.

Mr. HAYS. Mr. President, as a Senator in this Body, apparently in a few minutes I will be called upon to pass judgment on a Mr. Gardlock. I do not know Mr. Gardlock. It has been stated on the floor of this Senate that this man never served on this particular Board. All of the charges which have been brought, true or false, have been brought against the Board. This man has had no connection with the Board. No man has said a word against Mr. Gardlock on this Senate floor. It seems for me to vote other than for his confirmation would be a form of character assassination.

And the question recurring,

Will the Senate advise and consent to the nomination?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

| | | | |
|-----------------|------------|---------|----------|
| Camel, | Lane, | Miller, | Ruth, |
| Donolow, | Mahady, | Mullin, | Seyler, |
| Hays, | McCreesh, | Murray, | Silvert, |
| Kalman, | McGinnis, | Ripp, | Stiefel, |
| Koprivier, Jr., | McMenamin, | Rooney, | Weiner, |

NAYS—25

Berger,
Chapman,
Confair,
Ehrgood,
Elliott,
Flack,
Fleming,

Harney,
Keller,
Kessler,
Kromer,
Madigan,
Mallery,

Pechan,
Propert,
Shafer,
Stevenson,
Taylor,
Van Sant,

Wade,
Wagner,
Walker,
Watkins,
Whalley,
Scott,
Presiding Officer

Less than two-thirds of all the Senators having voted "aye," the question was determined in the negative.

Ordered, That the Governor be informed accordingly.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I just want to say, as an observation, that I hope none of us here is ever judged in the manner in which we have judged these two men this evening. All of us are in public life and this could happen to any one of us. I certainly hope that all of us will think very carefully about what has been done here this evening.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I would like to make a slight observation, if I may, before I sit down. I really believe that we made a terrible mistake here tonight. I think that when we assassinated the character of Mr. Gardlock, whom no one knows, it was a dastardly act. I believe the Members of the Senate will remember this. I believe the people of Pennsylvania are conscious of what is going on.

This was certainly the wrong thing to do by any thinking body. I always had a wholesome respect for the intellect of every Member of this Senate. However, now I have my doubts.

CONSIDERATION OF EXECUTIVE NOMINATIONS
REPORTED AT TODAY'S SESSION

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

The nominations were read as follows:

MEMBER OF THE PENNSYLVANIA GAME
COMMISSION

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert L. Buchanan, 1333 Otter Street, Franklin, Venango County, for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA GAME
COMMISSION

June 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carroll

F. Hockersmith, Shippensburg, Cumberland County, for appointment as a member of the Pennsylvania Game Commission, from November 5, 1958, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA GAME
COMMISSION

February 2, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Pennsylvania Game Commission, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified:

Russell M. Lucas, 112 Seventh Street, Philipsburg, Centre County.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE BOARD OF OSTEOPATHIC
EXAMINERS

April 27, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the State Board of Osteopathic Examiners, from June 21, 1957, for the term of four years, and until their successors shall have been appointed and qualified:

John W. Shirer, Pittsburgh, Allegheny County.

David Rothman, Oxford, Chester County.

Ben L. Agresti, Erie, Erie County.

Harvey C. Orth, Lewistown, Mifflin County.

DAVID L. LAWRENCE.

MEMBER OF THE STUDY COMMISSION OF THE
PHILADELPHIA METROPOLITAN AREA

November 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John T. Carson, 330 South State Street, Newtown, Bucks County, for appointment as a member of the Study Commission of the Philadelphia Metropolitan Area, until terminated, vice John D. Dougherty, Bristol.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF NURSE
EXAMINERS

December 8, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Olivia L. Barres, Reading Hospital, Reading, Berks County, for reappointment as a member of the State Board of Nurse Examiners, for a term of six years, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF ADVISORY COMMITTEE TO STATE
COUNCIL OF EDUCATION

November 30, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Harry Noblit (Educator) Principal, Makefield Elementary School, Makefield Road, R. D., Yardley, Bucks County, for appointment as a member of the Advisory Committee to State Council of Education, until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE TIOGA COUNTY BOARD OF ASSISTANCE

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Madelyn Weidman (Democrat), Westfield, Tioga County, for reappointment as a member of the Tioga County Board of Assistance, until December 31, 1962, and until her successor is duly appointed and qualified, to compute from January 1, 1960.

DAVID L. LAWRENCE.

MEMBER OF THE STATE REAL ESTATE COMMISSION

May 4, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl E. Shields, Butler, Butler County, for appointment as a member of the State Real Estate Commission, from June 21, 1957, until September 25, 1961, and until his successor has been appointed and qualified.

DAVID L. LAWRENCE.

A motion was made by Mr. FLEMING and Mr. WATKINS,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Propert, | Wade, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarra, | Welner, |
| Elliott, | Mallery, | Seyler, | Whalley, |
| Flack, | McCreesh, | Shafer, | Wolfe, |
| Fleming, | McGinnis, | Silvert, | Scott, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee

on Rules, reported, as committed, **HB 1851** and **1852**.

Mr. BERGER, by unanimous consent, from the Committee on Appropriations, rereported, as committed, **SB 1030**.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 331, HB 648, 927, 1851, 1862, 2048 and 2323**.

CONGRATULATING THE PRESIDING OFFICER

Mr. SEYLER. Mr. President, we have had a long and trying Session. We have had debate which sometimes approached, at least, the point of acrimony. There was one figure in the Senate who at all times, it seemed to me, did not lose his head, but who remained cool and handled his difficulty assignment very well. I refer to the gentleman who, during this long Session, occupied the Chair. I wish to make my personal observation by saying that I think he did a very able and a very fair job.

The PRESIDING OFFICER. The Chair wishes to thank Senator Seyler and his colleagues in the Senate. The Chair wishes to express his appreciation to them for the order and decorum which was exercised by all the Members of the Senate during this very trying period. I do want you to know that your conduct here, throughout this long Session, certainly made my task a great deal easier.

BIRTHDAY FELICITATIONS EXTENDED TO SENATOR MARTIN L. MURRAY AND SENATOR MARTIN SILVERT

Mr. HAYS. Mr. President, my observation has only to do with the length of this Session. It seems to me that it should be a matter of record that two men here each gained a year in age. I refer to the distinguished gentleman from Philadelphia, Senator Silvert, and the distinguished gentleman from Luzerne, Senator Murray. They are each one year older than when they came in here. Congratulations to both of them.

The PRESIDING OFFICER. The Chair, on behalf of his colleagues, extends birthday congratulations to the two Senators who were mentioned.

COMMITTEE OF CONFERENCE APPOINTED ON HB 900

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore, the appointment of Messrs. PECHAN, EHRGOOD and SILVERT as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 900**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 1472

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of

Messrs. PROPERT, BERGER and WEINER as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1472**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 2431

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WADE, PROPERT and MULLIN, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 2431**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE APPOINTED PURSUANT TO HOUSE CONCURRENT RESOLUTION No. 132

The PRESIDING OFFICER. The Chair announces, on

behalf of the President pro tempore, the appointment of the following committee, pursuant to House Concurrent Resolution No. 132: the gentleman from Potter, Mr. Berger; the gentleman from Crawford, Mr. Shafer; and the gentleman from Berks, Mr. Ruth.

The PRESIDING OFFICER. The Chair now turns the gavel over to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILL SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bill: **SB 275**.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Wednesday, December 16, 1959, at 1:00 o'clock p.m.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, December 15, 1959

The House met at 2:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious God, our Father, as the festivities of the Christmas Season fill our hearts with joy and happiness, and the good tidings on the lips of our associates fill our lives with gayety and peace, help us as we join lustily in singing the Christmas Carols not to forget the song of that Angelic Chorus on that First Christmas so long ago: "Peace on earth, goodwill toward men." Use these Thy servants, as Thou dost use each one of us, we humbly pray, to bring that peace and goodwill into the lives of others, so that the song of the angels may become a reality through us and our efforts: in the Name and for the sake of Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, December 14, 1959 will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 413.

An Act providing for group life insurance for State employes establishing a schedule providing for payment and providing for reduction of insurance upon retirement.

Referred to the Committee on Appropriations.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. REIDENBACH for the remainder of the week because of illness.

Mr. Tompkins for Mr. P. G. MURRAY for the remainder of the week.

Mr. Tompkins for Mr. HEFFNER for the remainder of the week.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1675, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat and providing a penalty for the violation thereof.

And has appointed Messrs. Wade, Watkins and Lane a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2173, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" further providing for the building or rebuilding of schools and the preparation of drawings for such schools repealing certain provisions concerning heating and ventilating standards and changing provisions relating to the determination of certain reimbursement amounts.

And has appointed Messrs. Pechan, Wagner and Hays a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employes' Retirement Code of 1959" further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

And has appointed Messrs. Wade, Propert and Seyler a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 14, 1959. Resolved (if the Senate concur), that House Bill No. 2018, Printer's No. 1976, entitled "An act amending the act of May 29, 1945 (P. L. 1132) entitled 'An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of first aid and mine rescue instructors by the Secretary of Mines with the approval of the Governor fixing their salaries and qualifications providing for the purchase of trucks and necessary equip-

ment to carry on the work and making an appropriation therefor' further regulating the salary of the first aid and mine rescue instructors," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 14, 1959.

Resolved (if the Senate concur), that House Bill No. 2019, Printer's No. 1977, entitled "An act amending the act of April 25, 1945 (P. L. 289) entitled 'An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania the protection and preservation of property connected therewith the appointment of electrical inspectors by the Secretary of Mines with the consent and approval of the Governor the fixing of their salaries and necessary expenses incurred in the performance of their duties and the fixing of the qualifications which shall be possessed by persons appointed to the position of electrical inspector' regulating the salary of electrical inspectors," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 10, 1959.

Resolved (if the Senate concur) that House Bill No. 1572, Printer's No. 1825, entitled "An act amending the act of July 28, 1953 (P. L. 723) entitled 'An act relating to counties of the second class amending revising consolidating and changing the laws relating thereto' further regulating reinstatement and requirements for credit for previous service and the retirement allowances of certain reemployed persons," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 11, 1959.

Resolved (if the Senate concur), that House Bill No. 2297, Printer's No. 1973, entitled "An Act amending the act of June 2, 1915 (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed

that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, November 17, 1959.

Creating a joint committee to make a thorough study of the recent amendment of Article 11, Section 4 of the Pennsylvania Constitution.

APPOINTMENT OF SELECT COMMITTEE TO STUDY RECENT AMENDMENT TO CONSTITUTION PROVIDING FOR ANNUAL SESSIONS

The SPEAKER. In accordance with the provisions of House Concurrent Resolution No. 132, Printer's No. 2014, adopted by the House on Wednesday, December 9, 1959 and concurred in by the Senate on Monday, December 14, 1959, the Speaker appoints as a Select Committee on the part of the House: Messrs. McCann, Schwartz and Bowman.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL Nos. 162, 1078, 1081, 1082, 1083, 1084, 1512, 1513, 1514, 1515, 1516, 1822, 2359 and 2408.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg, December 15, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 162, Printer's No. 2033, entitled "An Act amending the act of June 28, 1935 (P. L. 477), entitled as amended 'An act providing for the payment of the salary medical and hospital expenses of members of the State Police Force and of policemen and park guards by the Commonwealth of Pennsylvania counties cities boroughs towns and townships who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period' extending the provisions thereof to the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents enforcement officers and investigators of the Pennsylvania Board of Parole."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1078, Printer's No. 2021, entitled "An Act amending the act of May 1, 1933 (P. L. 216), entitled 'An act relating to dentistry defining and providing for the licensing and registration of dentists and dental hygienists for the revocation and suspension of such licenses and registrations subject to appeal and for their reinstatement defining the powers and duties of the State Dental Council and Examining Board and the Department of Public Instruction providing penalties and repealing existing laws' providing for biennial registration and fixing fees."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1081, Printer's No. 2023, entitled "An Act amending the act of July 12, 1919 (P. L. 933), entitled 'An act to regulate the practice of architecture in the Commonwealth of Pennsylvania by

providing for the examination and registration of architects by a State Board of Examiners defining the powers and duties of said board of examiners and providing penalties for the violation of this act' providing for biennial renewal of certificates and changing fees in accordance therewith."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1082, Printer's No. 2024, entitled "An Act amending the act of March 2, 1956 (P. L. 1206), entitled 'Chiropody Act of 1956' providing for biennial renewal of registration and changing fees in accordance therewith.

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1083, Printer's No. 2025, entitled "An Act amending the act of March 19, 1909 (P. L. 46) entitled as amended 'An act to regulate the practice of osteopathy and surgery in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopathic physicians and surgeons in this State and to provide penalties for the violation of this act' providing for biennial registration."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1084, Printer's No. 2026, entitled "An Act amending the act of March 30, 1917 (P. L. 21) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith' providing for biennial registration and changing fees in accordance therewith."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1512, Printer's No. 2027, entitled "An Act amending the act of May 17, 1917 (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of sample drugs for determining their quality strength and purity' changing from annual to biennial registration and fixing fees."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1513, Printer's No. 2028, entitled "An Act amending the act of May 1, 1929

(P. L. 1216) entitled 'Real Estate Brokers License Act of one thousand nine hundred and twenty-nine' changing from annual to biennial registration and increasing certain fees."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1514, Printer's No. 2029, entitled "An Act amending the act of April 27, 1945 (P. L. 321) entitled 'The Veterinary Law' changing from annual to biennial registrations."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1515, Printer's No. 2030, entitled "An Act amending the act of June 3, 1911 (P. L. 639) entitled as amended 'Medical Practice Act' changing from annual to biennial registration and increasing the registration fee."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1516, Printer's No. 2031, entitled "An Act amending the act of August 10, 1951 (P. L. 1182) entitled 'Chiropractic Registration Act of 1951' changing from annual to biennial registration."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1822, Printer's No. 2047, entitled "An Act amending the act of March 19, 1951 (P. L. 28) entitled 'State Council of Civil Defence Act of 1951' making the Secretary of Health a member of the Council and further defining the powers and duties of the Council with reference to peacetime radiation dangers and disasters."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2359, Printer's No. 1610, entitled "An Act amending the act of June 25, 1947 (P. L. 928) entitled 'An act relating to the annual salaries and compensation of certain county officers of counties of the sixth class' fixing the compensation of auditors."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2408, Printer's No. 1799, entitled "An Act amending the act of September 23, 1959 (Act No. 381) entitled 'An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties' further regulating the height of fences around premises used for raising mink."

DAVID L. LAWRENCE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the

Committee on appropriations to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania making the General Assembly a continuing body and providing for the calling of special sessions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 742, entitled:

An Act amending the "Legal Holiday Law" approved May 31, 1893 (P. L. 188) providing that when holidays occur on a Saturday Friday shall be deemed and declared a public holiday.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district.

The first, second and third sections inclusive were separately read and agreed to.

Mr. McCANN offered the following amendment:

Amend Bill, page 3, by inserting between lines 13 and 14: "Section 4. The sum of thirty thousand dollars (\$30,000) is hereby appropriated for the purpose of paying the salary of the additional law judge provided by this act during the fiscal biennium ending May 31, 1961.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 4, page 3, line 14, by striking out "4" and inserting "5."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. McCANN offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "district" "and making an appropriation."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 727, entitled:

An Act to provide for additional law judges of the courts of common pleas in the seventh and the thirty-first judicial districts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 794, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1262, entitled:

An Act amending the act of May 23, 1956 (P. L. 1662) entitled "An act authorizing the Department of Property and Supplies to acquire by gift ninety-three acres more or less of land with buildings thereon in the City of Pittsburgh, Allegheny County for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with tuberculosis and making an appropriation" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1265, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KAMYK asked and obtained permission for the Committee on Welfare to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I know that in the last few months as the Minority Leader and as the spokesman for his Majesty's loyal opposition, I have not had too much to say. We have been running along on a fairly even keel here, but of late there are some things that have been coming into the public Press that particularly irked me

and a good many on this side of the House. I think I am going to take time right now, on unanimous consent, to give vent to some of my feelings and some of the feelings of a good number on this side.

The thing that I particularly want to talk about here today is the excerpt from a speech of His Majesty, the Governor, delivered Saturday evening in the Waldorf-Astoria Hotel in New York City. The paragraph that I am particularly annoyed about is where the Governor says:

As for my part, I have tried, in every action and in every word, to demonstrate my belief that Pennsylvania's future cannot be secured by a state government guided by a philosophy of politics as usual. I have tried to emphasize this conviction at every opportunity, despite the tedious and sometimes tormenting months of indecision and delay in a Legislature of divided political persuasions.

Mr. Speaker, what I want to point out is, I think that statement is absolutely not true, and I am going to point out to this House why I think so.

The innuendo is there that the Governor in his office, on his white horse, the white charger, is doing great, the only people that are wrong is the Legislature. He is not playing politics-as-usual, we are doing it. And, by inference, the Republicans are doing it in the House and Senate.

Let me tell the Members of the House this: Why is this Session still in progress? First of all, we came here in January and the Governor gave us the largest budget in the history of Pennsylvania, to the tune of \$1.907 billion. The Governor asked us to finance for him the largest deficit in the history of Pennsylvania, the sum of \$178 million, which has been boiled down to \$140 million. It is history that he asked for \$400 million in new taxes which is the largest single new tax bite in all the history of Pennsylvania asked to be shouldered by the people of this state.

He presented us with a Highway budget totaling \$913 million; he demanded an additional penny gas tax, and he spread word all over Pennsylvania that unless he got the penny gas tax we would have to shut down a portion of the construction on the Shortway. I tried at this microphone to point out the fallacy of that argument, that there was plenty of money in the budget for the Shortway, particularly when, on Wednesday, after the hearing of this House Committee on Monday, Park Martin said we have found \$35 million more.

What have we done here so far as the Republican party is concerned for the people of this state? The reason we are still in session? You know by staying here and studying that budget, and by urging the Governor to practice economy and austerity, 'hat deficit was boiled down to \$140 million. Had we immediately jumped through the traces when the Governor snapped his whip, saying give me \$400 million in taxes, the people today would be paying almost \$100 million more in taxes than would have been necessary.

All right, the Senate tried to cut the budget by a modest little sum of \$56 million, but finally through conferences and through being clobbered, you might say, by the newspapers all over the state that they were destroying the welfare and so forth of Pennsylvania, we just came up with a modest cut of \$44 million. I grant you that is only a savings to the people of about \$82 million,

but \$82 million is a lot of money, and let me tell you the people would be paying that money, had we, the Republican party, stood up and passed that tax program on a bi-partisan basis like the Governor wanted us to do early in March.

Have we practiced politics as usual on this side of the House? I will say we have not. We gave you people votes for the tax program, for the four percent sales tax. There is no question about it. Of course, I am getting slaughtered up in my county for it by Democratic employes all over the county who are saying to the people in my county, see what Albert Johnson has done to you, he put that four percent sales tax on you. I think the Governor, if he were not playing politics as usual, would go through the state and say, the Republican party saved my hide, you people lay off the loyal people on the Republican side who grabbed me up by my boot straps and saved the day for me.

All right, we gave you votes for your non-preferred appropriations and gave them very little scrutiny here in this House. You needed a two-thirds vote and we did not question what you were doing in all those different categories. I say that we have not been playing politics as usual and we only slightly cut this huge budget, as I say, to the tune of \$42 million.

We, in this House, have given you votes here for your entire program. There hardly has been a day that you had 106 votes, and you could not move a single thing through this House if Republicans on this side had not stood up and voted. We have not been playing politics as usual as charged by the Governor. We have been right down the line with you and have been working with you with our shoulders to the wheel, even though our newspapers back home are criticizing us Republicans for going along with everything, practically, that you have wanted. Of course, there was absenteeism on your side that by and large made it necessary for us to furnish votes.

Finally, we did not ask you to bring your people in on stretchers, just remember that. That is a sore point with us, and when the Governor says he is not playing politics as usual, I want to point out that we have not done it either. I think the Republican party has displayed the most remarkable branch of cooperation and bi-partisanship that I have seen in this General Assembly in my seven terms.

Let us look at something else. I challenge the Governor to show how he has not been guided by a politics as usual philosophy right here in this House. Let us just see some of the things you people have passed here. We got that big brochure put out by Mr. Davlin on how Pennsylvania has become a great state, with a wonderful business climate. Come to Pennsylvania because you have a friendly crowd here that are running the state now, they say. Of course, I may make a speech on that before this Session is over and show you how this so-called good business climate is the result of developing the principles of the Republican party and the things that we have sponsored and promoted in this state. One of the reasons for the good business climate is because of the Republicans and in spite of you people on the other side.

Let us see what you have tried to do to business right here in this House this Session. I know what I am going to say probably is not very smart politically, but what

have you done to the businessman this Session? What have you done about this great business climate? Have you been playing politics as usual? You take the coal industry. If you take the bills that you people would have put through the House had you waited until you had 106 votes here to put them through, you would have practically crippled the coal industry. The little small coal miner you say has to have an assistant foreman. You would have practically made small coal operations impossible through that bill which would require four different consents before they could have electrical machinery in the coal mines and would practically do away with automation in the coal mines. I could bring you a list of the bills that would practically put the coal operator of this state, the small coal miner, on his knees.

All right, let us take the railroads. I know that it is probably not, as I say, smart to talk about the feather-bedding bill that you had here as far as the railroads are concerned, the full crew bill, the bill that would require about five thousand crossings to have watchmen and so forth. That would cost the railroads in this state upward of \$150 million a year, just for those bills alone. Let me tell you, the coal industry and the railroad industry—I am just picking them out—are industries in this state that are practically down on their knees and did not deserve the treatment that you people tried to pull over on them this Session.

How about the original sales tax bill that came out of committee, the one that you had to send back to Committee to have amended. That bill destroyed practically every amendment that was ever written into the sales tax which would have made life possible for the businessman in this state, and you know it. I know you disavowed the bill and said you did not know it was written the way it was written, but when Governor Lawrence was in Philadelphia and said, "I am going to make Pennsylvania a great business state," that bill was on this calendar which would have practically ruined the business community of this state and put us in a terribly unfavorable business situation so far as Ohio and the other states were concerned.

Let us say something about the UC bill. I know we all voted for it. It was the smart thing to do politically. We, in our Republican platform, promised to up the benefits from \$40 to \$42 a week. We were agreed on that. But the newspapers all over the state said, you have to do something to get the chiselers off Unemployment Compensation. You have to make a real Unemployment Compensation bill out of this, rather than one for chiselers, the double-dippers and pensioners and people like that who are costing the fund so much money.

All right, the Governor has fought for it, pushed the bill, had men from Labor and Industry here on the side walls pushing and fighting for that bill. I am not saying that it is not a smart bill, and that it is a clever bill politically. We can go to labor and say what a great job we did on the bill. But the fact remains that we have upped the Unemployment Compensation rates on industry and it is going to cost \$75 million extra per year for industry in this state to operate. Maybe it was smart; I do not know. The bill was a political bill, no question about it. I grant you we voted for it on this side. I have an editorial in a newspaper here, criticizing the General

Assembly for that particular bill. I say it was politics as usual.

What has happened with respect to appointments? Do not get me wrong, I am not asking for any appointments for one single Republican. We thrashed that out in our caucus early this spring. But I know the Governor says, I am not playing politics as usual, but outside of his Cabinet appointments, which I think by and large are working out fine, and a few other instances, the appointments that he has made to major jobs in this state have been for party workers, his party's loyal people, ward healers and people like that. Rewarding the people! Some of the appointments have been covered in the newspapers now for the last couple of years, in an uncompromising manner, but they are good politicians and it was a smart thing for the Governor to make them.

Of course, we have nothing to do with confirmations. Those confirmations are made over in the Senate. That is not our business here. I am just pointing out that they show there is politics as usual being practiced by the Governor's office.

What about these so-called tedious and tormenting months of indecision of this Session? There has not been any tormenting indecision here. We have had a huge budget to contend with, and I say this administration will go down in history as giving the people the highest budget in history and the highest new tax program in all the history of Pennsylvania.

This was something that could not be solved and could not be resolved in just a few seconds' time. We had to be here to discuss those things and go over them, fight the thing through, decide what was right for the state, and as far as the Governor is concerned, you hear it all over.

I will say one thing about Governor George Leader. He was for that mental health program. He put his teeth into it. He stuck to it. He fought for it. He campaigned for United States Senator on it. He had a principle he was fighting for. He stood for something. I want you to tell me what does that front office stand for that would give us something to put our teeth into so that we could have a quick, short, business-like Session? I say there is no particular program, no particular outstanding thing that this administration stands for. I say in that regard you can take your hat off to Governor Leader. He had some things that he stood out for markedly and he fought for them all the way through, even after he was running for the United States Senate.

Now how about the schools? The Governor gave us a budget for schools. We are here struggling with House Bill 1108. We have not got the money for it, that is true. The original budget provided more money for welfare, for agriculture, for labor, for health and for everything except the schools of Pennsylvania that needed the money. I grant you that he provided money for the normal increase in teaching units and things like that, but there was not a dime for the sorely oppressed school districts, many of which are pretty much on the ropes as far as finances are concerned. And now, in the dying days of this Session the schools are here. There are a bunch of them here in town today, they have been up to my office, they have been up to Mr. McCann's office. They are worrying about where they are going to get the money to run their schools, there is no money in the budget and ap-

parently the Governor says there is no money in his tax program for it. The money is spent. The money is allocated. I say the Governor has been playing politics as usual with this school situation. We have not been doing it, but these months of indecision have not been our fault. We should have had some real strong leadership from the front office. He should have said, this is something you can do, and, if you do not like this try this, but he should be a leader, come out and show us what to do and we could have been out of here long ago. To blame the Legislature for tormenting indecision, I say is absolutely wrong, and I am here at this microphone today registering my indignation to it.

We are coming in on another Session next year. I see where the Governor is going to come before us and give us a message on the state of the Commonwealth. I think he should come before us. He should give us a message, tell us what he thinks ought to be done in the Session of 1960. If there are any deficiency appropriations that he is putting in by executive order, we should know about them. If there are any appropriations that are going to be in excess of what were necessary for this annual Session, he should come in with that information. If there is more money needed for the schools, in his opinion, he should say so and he should tell us how he thinks we should get the money. We need leadership in that front office so we can have short business-like Sessions.

So in answer to that statement of the Governor that he has not practiced politics as usual, I want you to point out to me one instance where he has not practiced politics as usual. He has no liaison with the state Senate. He has had to use this type of squeeze play in order to get through what he wanted. That is what we face here today. There have not been moments of indecision as far as we are concerned. We have struggled with tremendous problems. We, the Republican party gave you votes. We stood up like men, I think we have done our job and I think it is time that the Governor of Pennsylvania stood up and said so.

PERMISSION TO ADDRESS HOUSE

Mr. LOPRESTI asked and obtained unanimous consent to address the House.

Mr. Speaker, in the beginning of the gentleman's speech he referred to "His Majesty, the Governor." I believe the Governor would be the first to disclaim any royalty or monarchic privileges. His Excellency, the Governor, so far as I know has not claimed up to now that Pennsylvania is his kingdom, nor has he claimed the right of king over the General Assembly, which the gentleman seems to lament.

We have had a number of editorials written within the last few days from which I want to read excerpts. So they will not be my words, but the words of people and editorial writers who have not always been in our corner.

In commenting on the actions of the Republican Senate the Press has said that in lacking confirmation or refusing to confirm or bring before the Senate for confirmation, the Senate has been playing politics at its worst.

The SPEAKER. Disguise it. The Chair counsels the gentleman by animadversion to refer to the Senate.

Mr. LOPRESTI. I thank the Chair.

We are concerned with the length of our Session. We are concerned for some reason as to the causes for the length of our Session. Why has it been drawn out? Has it been drawn out because the leadership of this House and the leadership of the Senate could not sit down and amicably work out the conflicts in our minds on various questions of legislation? I do not think that has been the case. I believe there are a few issues which stand between us and the Senate which could be resolved very quickly if other considerations, if politics, were not standing in the way of those decisions. We have political considerations, in my opinion, holding up the adjournment of this House.

I said in the very beginning of this Session that we, on this side of the House, felt we were elected as representatives of the people and that our first obligation was to serve the Commonwealth and to serve the people of the Commonwealth rather than to serve our political parties. I said we, on this side of the House, would be willing to accept the suggestions and cooperation from the other side of the House.

I think, by and large, we have received a measure of cooperation in this House from the Republican party. As has been pointed out by the Minority Leader, there were many occasions when we needed votes from the other side and we hoped that those votes would be forthcoming as good Pennsylvanians, as representatives of all the people of the Commonwealth, and not as pure party representation.

We have reasons which I believe are holding up the adjournment of the Session wholly apart from the ordinary legislative matters with which we have to deal. Those matters, I believe, are resolved around the confirmations of the Governor's appointees. Sometime ago there were in the national government certain confirmations which were denied, and before that action was taken, the matter was aired thoroughly. The Committees met and they brought before the Committee and before the public in general the reasons for lack of confirmation. But what do we have here in Pennsylvania? We have had numerous appointments made to important commissions, to important bodies, which are part of the functioning of our state government, and what did we see? We have seen a complete inaction insofar as confirmation is concerned. Now, in the dying days of the Session, apparently without reason, no action will be taken on some and others will be perhaps acted upon. I am wondering whether or not the prolonging of this Session, and many people seem to think so, and the keeping of this House in Session until January 4 is not due to any difficulty in understanding each other on questions of legislation, because I think we could resolve those differences through quick appointments of conference committees and those questions could all be resolved. But, in the background there is a political question which we cannot resolve and that political question seems to be, at least in some part, as to whether or not appointments of the Governor to the Public Utility Commission should be confirmed.

The appointees, and I refer to this because the gentleman in his remarks also questioned the Governor's appointees as being political hacks and ward healers and so forth. I do not remember the exact words, but in terms to that effect, and I think therefore we should at least

in several instances point out some of the qualifications and the manner in which some of these appointees are regarded in their community.

For example, we have suggested to be a member of the Public Utility Commission, Robert Anthony of the city of Altoona, a man who has just completed his term as mayor of Altoona. He is a member of the Bar of Blair County, and the Bar of Blair County consists of people who should have knowledge concerning the integrity and the ability of this particular gentleman. The Bar of that county has forwarded to the Governor and to this Legislative body a resolution unanimously endorsing that gentleman; a resolution pointing out that he is eminently qualified as a member of the Bar, that he had trial practice; that he is respected in his community. Apparently there is no mark on that man's character, and yet we have seen no action.

Likewise, the name of a gentleman from Lackawanna was submitted. He is also a member of the Bar, and the Bar Association of his county also gave him an endorsement, a recommendation, and in that resolution said that he was a man of good character.

It is important to the people of Pennsylvania that we have a functioning Public Utilities Commission, and it is important that it function not merely on the basis of a simple quorum. We have only three members remaining on that Commission, which is a simple quorum, and so long as they can agree unanimously the Commission can act, but if there should be an additional vacancy, or if there should be dissention, then we would have a commission which cannot operate because it lacks an operating quorum in case of contest.

I think it is an important function to the people of Pennsylvania, and I believe that those appointments should be brought before the public. If there is any reason that these men do not deserve the appointment, or if they are, as Mr. Johnson has suggested at least in some cases, nothing more than ward healers and politicians and that the Governor's appointments are bad, then I call upon the opposition to point out the defects in the characters, point out the defects in the ability of these men and vote them down. If they are not capable, if they are not honorable, certainly they should not be on the Commission and we would not expect them to be. But it is sad, it is sad, that we here in the House have to be kept in Session because questions that could be resolved are not resolved simply because other matters are holding up adjournment.

I think the Press is probably correct when they say that this is politics in its worst form.

Mr. HELM IN THE CHAIR

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 773, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employes in such cases.

On the question,

Shall the bill pass finally?

Mr. HEAVEY. Mr. Speaker, I would like to interrogate the Majority Leader on this bill.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. HEAVEY. Mr. Speaker, what happens to a school that is destroyed by fire or is partly destroyed by fire, what happens to those salaries that are supposed to continue to be paid?

Mr. McCANN. Mr. Speaker, as a general rule, when a school is destroyed by fire, the teachers are not affected in any way because the school district must of necessity make arrangements to continue the schooling in some other type of building, whatever the arrangements may be, and the professional employes or teachers continue right on working in the new area I believe.

For example, we had two major fires this year one in Bucks County where a school house burned down and one other one, and nothing happened to any of the teachers. They went right on working and were paid.

Mr. HEAVEY. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Fulmer, | McCormack, | Rudisill, |
| Anderson, | Galley, | McDonald, | Sakulsky, |
| Arlene, | Gallagher, | McInroy, | Scarcell, |
| Auker, | Garlock, | McKeever, | Schaaf, |
| Barton, | Gelfand, | McLaughlin, | Schuster, |
| Bell, | Gibb, | Machmer, | Schwartz, |
| Botes, | Goldstein, J. H., | Mahan, | Seltzer, |
| Bonner, | Goodrich, | Markley, | Sherman, |
| Boris, | Gramlich, | Maxwell, | Shupnik, |
| Bower, | Guthrie, | Meholchick, | Silverman, |
| Bowman, | Hamilton, | Mihm, | Snare, |
| Branca, | Haudenschild, | Miller, B. Z., | Snider, |
| Brenninger, | Heavey, | Miller, H. G., | Stank, |
| Breth, | Helm, | Mills, | Steckel, |
| Brown, | Henzel, | Muldowney, | Stewart, |
| Buchanan, | Holliday, | Mullen, | Stimmel, |
| Burns, | Holt, | Munley, | Stone, |
| Capano, | Horst, | Murphy, A. J., Jr., | Stoner, |
| Capitolo, | Irlis, | Murphy, P. J., | Strausser, |
| Cianfrani, | Isaacs, | Murray, H. P., | Stroup, |
| Cioffi, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Naugle, | Thompson, |
| Davis, | Jones, F. R., | Needham, | Trusio, |
| Dengler, | Kamyk, | Nelson, | Varallo, |
| Dennis, | Kee, | O'Donnell, J. A., | Varner, |
| Dennison, | Kelser, | O'Donnell, J. P., | Verona, |
| Devlin, | Kernaghan, | Odorisio, | Wall, |
| Donahue, | Kessler, | Ogilvie, | Walsh, |
| Donaldson, | Knecht, | O'Neill, | Wargo, |
| Dougherty, | Kooker, | Parlante, | Weidner, |
| Edwards, | Kornick, | Pashley, | Welsh, |
| Elberg, | Korns, | Perry, H. H., | Wescott, |
| Eshback, | Kovolenko, | Perry, P. E., | Wheeler, |
| Eshleman, | Kubitsky, | Petrosky, | Whittaker, |
| Ewing, | Lamb, | Polaski, | Williams, A. D., Jr., |
| Farabaugh, | Lee, A. M., | Polen, | Williams, E. S., |
| Fetterolf, | Leonard, | Prendergast, | Wilt, |
| Filo, | Light, | Price, | Wood, |
| Fineman, | Limper, | Pursley, | Worley, |
| Floyd, | Lippincott, | Reibman, | Wynd, |
| Flynn, | Lopresti, | Renwick, | Yatron, |
| Foerster, | Luigard, | Rigby, | Yetter, |
| Fox, | Lutty, | Riley, | Zimmerman, |
| Frank, | McCandless, | Rovansek, | Andrews, |
| Frascella, | McCann, | Royer, | Speaker |

NAYS—4

| | | | |
|---------|------------|---------|-----------|
| Ashton, | Balthaser, | Hocker, | Tompkins, |
|---------|------------|---------|-----------|

NOT VOTING—23

| | | | |
|-----------------|-------------------|----------------|-------------|
| Blair, | Goldstein, M. H., | Magee, | Reidenbach, |
| Clarke, | Heffner, | Merry, | Stevens, |
| Cooper, | Jenkins, | Monroe, | Ujobai, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Down, | Jump, | Murray, P. G., | Willardet, |
| George, | Lee, K. B., | O'Dell, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

REPORTS FROM COMMITTEE

Mr. NEEDHAM from the Committee on Welfare, reported as committed, House Bill No. 2016, entitled:

An Act creating a Pennsylvania Youth Authority; providing for its membership; prescribing its powers and duties; transferring certain personnel, and making an appropriation and making repeals.

Mr. BOIES from the Committee on Appropriations, reported as committed, Senate Bill No. 413, entitled:

An Act providing for group life insurance for State employees establishing a schedule providing for payment and providing for reduction of insurance upon retirement.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2016 entitled:

An Act creating a Pennsylvania Youth Authority; providing for its membership; prescribing its powers and duties; transferring certain personnel, and making an appropriation and making repeals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 413 entitled:

An Act providing for group life insurance for State employees establishing a schedule providing for payment and providing for reduction of insurance upon retirement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2117, entitled:

An Act amending the "Rural State Highway Law" approved June 22, 1931 (P. L. 594) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

| | | | |
|--------------------|----------------------|----------------------------|------------------------------|
| Agnew, | Frank, | McCann, | Rovansek, |
| Anderson, | Frascella, | McCormack, | Royer, |
| Arlene, | Galley, | McDonald, | Rudisill, |
| Ashton, | Gallagher, | McInroy, | Sakulsky, |
| Balthaser, | Garlock, | McKeever, | Scarcell, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | Gibb, | Machmer, | Schuster, |
| Boies, | Goldstein, J. H., | Mahan, | Schwartz, |
| Bonner, | Goodrich, | Markley, | Sherman, |
| Boris, | Gramlich, | Maxwell, | Shupnik, |
| Bower, | Guthrie, | Meholchick, | Silverman, |
| Branca, | Hamilton, | Mihm, | Snare, |
| Brenninger, | Haudenshield, | Miller, B. Z., | Snider, |
| Breth, | Heavey, | Miller, H. G., | Stank, |
| Brown, | Helm, | Mills, | Steckel, |
| Buchanan, | Henzel, | Muldowney, | Stewart, |
| Burns, | Holliday, | Mullen, | Stimmel, |
| Capano, | Holt, | Munley, | Stone, |
| Capitolo, | Irvis, | Murphy, A. J., Jr., | Stoner, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Comer, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Curwood, | Johnson, R., | Musto, | Thompson, |
| Davis, | Jones, F. R., | Naugle, | Tompkins, |
| Dengler, | Kamyk, | Needham, | Trusio, |
| Dennis, | Kee, | Nelson, | Varallo, |
| Dennison, | Kernaghan, | O'Donnell, J. A., | Varnar, |
| Devlin, | Kessler, | O'Donnell, J. P., | Verona, |
| Donahue, | Knecht, | Odorizio, | Wall, |
| Donaldson, | Kooker, | O'Neil, | Walsh, |
| Dougherty, | Kornick, | Parlante, | Wargo, |
| Edwards, | Korns, | Pashley, | Welsh, |
| Elberg, | Kovolenko, | Perry, H. H., | Wescott, |
| Eshback, | Kubitsky, | Perry, P. E., | Wheeler, |
| Eshleman, | Lamb, | Petrosky, | Whittaker, |
| Ewing, | Lee, A. M., | Polaski, | Williams, A. D., Jr., |
| Fetterolf, | Leonard, | Polen, | Williams, E. S., |
| Farabaugh, | Limper, | Prendergast, | Wilt, |
| Filo, | Lippincott, | Price, | Wood, |
| Fineman, | Lopresti, | Pursley, | Worley, |
| Floyd, | Lulgard, | Reibman, | Yatron, |
| Flynn, | Lutty, | Renwick, | Yetter, |
| Foerster, | McCandless, | Rigby, | Andrews, |
| Fox, | | Riley, | Speaker |

NAYS—13

| | | | |
|----------------|---------------|-----------------|-------------------|
| Auker, | Horst, | Ogilvie, | Weldner, |
| Bowman, | Keiser, | Seltzer, | Wynd, |
| Fulmer, | Light, | Stroup, | Zimmerman, |
| Hocker, | | | |

NOT VOTING—23

| | | | |
|-----------------|-------------------|----------------|-------------|
| Blair, | Goldstein, M. H., | Magee, | Reidenbach, |
| Clarke, | Heffner, | Merry, | Stevens, |
| Cooper, | Jenkins, | Monroe, | Ujobai, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Down, | Jump, | Murray, P. G., | Willardet, |
| George, | Lee, K. B., | O'Dell, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2118, entitled:

An Act amending the "Borough Rural State Highway Law" approved June 1, 1933 (P. L. 1172) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Frank, | McCann, | Rovansek, |
| Anderson, | Frascella, | McCormack, | Royer, |
| Arlene, | Galley, | McDonald, | Ruddell, |
| Ashton, | Gallagher, | McInroy, | Sakulsky, |
| Balthaser, | Garlock, | McKeever, | Scarcell, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | Gibb, | Machmer, | Schuster, |
| Boles, | Goldstein, J. H., | Mahan, | Schwartz, |
| Bonner, | Goodrich, | Markley, | Sherman, |
| Boris, | Gramlich, | Maxwell, | Shupnik, |
| Bower, | Guthrie, | Mihm, | Silverman, |
| Branca, | Hamilton, | Miller, B. Z., | Snare, |
| Brenninger, | Haudenshield, | Miller, H. G., | Snider, |
| Breth, | Heavey, | Mills, | Stank, |
| Brown, | Helm, | Meholchick, | Steckel, |
| Buchanan, | Henzel, | Muldowney, | Stewart, |
| Burns, | Holliday, | Mullen, | Stimmel, |
| Capano, | Holt, | Munley, | Stone, |
| Capitolo, | Irviss, | Murphy, A. J., Jr. | Stoner, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Comer, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Curwood, | Johnson, R., | Musto, | Thompson, |
| Davis, | Jones, F. R., | Naugle, | Tompkins, |
| Dengler, | Kamyk, | Needham, | Trusio, |
| Dennis, | Kee, | Nelson, | Varallo, |
| Dennison, | Kernaghan, | O'Donnell, J. A., | Varner, |
| Devlin, | Kessler, | O'Donnell, J. P. | Verona, |
| Donahue, | Knecht, | Odoriso, | Wall, |
| Donaldson, | Kooker, | O'Neill, | Walsh, |
| Dougherty, | Kornick, | Parlante, | Wargo, |
| Edwards, | Korns, | Pashley, | Welsh, |
| Ellberg, | Kovolenko, | Perry, H. H., | Wescott, |
| Eshback, | Kubitsky, | Perry, P. E., | Wheeler, |
| Eshleman, | Lamb, | Petrosky, | Whittaker, |
| Ewing, | Lee, A. M., | Polaski, | Williams, A. D., Jr., |
| Fetterolf, | Leonard, | Polen, | Williams, E. S., |
| Farabaugh, | Limper, | Prendergast, | Wilt, |
| Filo, | Lippincott, | Price, | Wood, |
| Fineman, | Lopresti, | Pursley, | Worley, |
| Floyd, | Luigard, | Reibman, | Yatron, |
| Flynn, | Lutty, | Renwick, | Yetter, |
| Foerster, | McCandless, | Rigby, | Andrews, |
| Fox, | | Riley, | Speaker |

NAYS—13

| | | | |
|---------|---------|----------|------------|
| Auker, | Horst, | Ogilvie, | Weidner, |
| Bowman, | Keiser, | Seltzer, | Wynd, |
| Fulmer, | Light, | Stroup, | Zimmerman, |
| Hocker, | | | |

NOT VOTING—23

| | | | |
|----------|-------------------|----------------|-------------|
| Blair, | Goldstein, M. H., | Magee, | Reidenbach, |
| Clarke, | Heffner, | Merry, | Stevens, |
| Cooper, | Jenkins, | Monroe, | Ujobal, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Down, | Jump, | Murray, P. G., | Willaredt, |
| George, | Lee, K. B., | O'Dell, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2119, entitled:

An Act amending the "City State Highway Law" approved June 22, 1931 (P. L. 720) changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Frank, | McCann, | Rovansek, |
| Anderson, | Frascella, | McCormack, | Royer, |
| Arlene, | Galley, | McDonald, | Ruddell, |
| Ashton, | Gallagher, | McInroy, | Sakulsky, |
| Balthaser, | Garlock, | McKeever, | Scarcell, |
| Barton, | Gelfand, | McLaughlin, | Schaaf, |
| Bell, | Gibb, | Machmer, | Schuster, |
| Boles, | Goldstein, J. H., | Mahan, | Schwartz, |
| Bonner, | Goodrich, | Markley, | Sherman, |
| Boris, | Gramlich, | Maxwell, | Shupnik, |
| Bower, | Guthrie, | Meholchick, | Silverman, |
| Branca, | Hamilton, | Mihm, | Snare, |
| Brenninger, | Haudenshield, | Miller, B. Z., | Snider, |
| Breth, | Heavey, | Miller, H. G., | Stank, |
| Brown, | Helm, | Mills, | Steckel, |
| Buchanan, | Henzel, | Muldowney, | Stewart, |
| Burns, | Holliday, | Mullen, | Stimmel, |
| Capano, | Holt, | Munley, | Stone, |
| Capitolo, | Irviss, | Murphy, A. J., Jr. | Stoner, |
| Cianfrani, | Isaacs, | Murphy, P. J., | Strausser, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |
| Comer, | Johnson, A. W., | Murray, J. J., | Taylor, |
| Curwood, | Johnson, R., | Musto, | Thompson, |
| Davis, | Jones, F. R., | Naugle, | Tompkins, |
| Dengler, | Kamyk, | Needham, | Trusio, |
| Dennis, | Kee, | Nelson, | Varallo, |
| Dennison, | Kernaghan, | O'Donnell, J. A., | Varner, |
| Devlin, | Kessler, | O'Donnell, J. P. | Verona, |
| Donahue, | Knecht, | Odoriso, | Wall, |
| Donaldson, | Kooker, | O'Neill, | Walsh, |
| Dougherty, | Kornick, | Parlante, | Wargo, |
| Edwards, | Korns, | Pashley, | Welsh, |
| Ellberg, | Kovolenko, | Perry, H. H., | Wescott, |
| Eshback, | Kubitsky, | Perry, P. E., | Wheeler, |
| Eshleman, | Lamb, | Petrosky, | Whittaker, |
| Ewing, | Lee, A. M., | Polaski, | Williams, A. D., Jr., |
| Fetterolf, | Leonard, | Polen, | Williams, E. S., |
| Farabaugh, | Limper, | Prendergast, | Wilt, |
| Filo, | Lippincott, | Price, | Wood, |
| Fineman, | Lopresti, | Pursley, | Worley, |
| Floyd, | Luigard, | Reibman, | Yatron, |
| Flynn, | Lutty, | Renwick, | Yetter, |
| Foerster, | McCandless, | Rigby, | Andrews, |
| Fox, | | Riley, | Speaker |

NAYS—13

| | | | |
|---------|---------|----------|------------|
| Auker, | Horst, | Ogilvie, | Weidner, |
| Bowman, | Keiser, | Seltzer, | Wynd, |
| Fulmer, | Light, | Stroup, | Zimmerman, |
| Hocker, | | | |

NOT VOTING—23

| | | | |
|----------|-------------------|----------------|-------------|
| Blair, | Goldstein, M. H., | Magee, | Reidenbach, |
| Clarke, | Heffner, | Merry, | Stevens, |
| Cooper, | Jenkins, | Monroe, | Ujobal, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Down, | Jump, | Murray, P. G., | Willaredt, |
| George, | Lee, K. B., | O'Dell, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

On the question,

Will the House agree to the bill on third reading?

Mr. KAMYK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 3), page 6, line 6 by striking out "THE" and inserting: "Upon request to the department and upon its finding of fact that certain requirements of this section are not necessary for the protection of the consumer, the department may grant exemptions from the"

Amend Sec. 1 (Sec. 3), page 6, line 7 by striking out "SHALL NOT APPLY."

Amend Sec. 1 (Sec. 3), page 6, line 10 by inserting after "EITHER": "(1)."

Amend Sec. 1 (Sec. 3), page 6, line 10 by striking out "OR" and inserting: "operated by the bakery or (2) in a"

Amend Sec. 1 (Sec. 3), page 6, line 11 by inserting after "OR": "(3)."

Amend Sec. 1 (Sec. 3), page 6, lines 13 and 14 by striking out "PRESUMED TO BE THE SALES" and inserting: "limited to the sale."

Amend Sec. 2, page 6, lines 17 to 20; page 7, lines 1 to 4 by striking out all of said lines.

Amend Sec. 3, page 7, line 10, by striking out "3" and inserting: "2."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring.

Will the House agree to the bill on third reading as amended?

Mr. KAMYK asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, second line of Title, by inserting after "Agriculture": "authorizing certain actions by counties"

Amend Sec. 2 (Sec. 5), page 7, by inserting between lines 4 and 5:

"Nothing in this act shall be construed to prevent counties, having boards of health created under the act of August 24, 1951 (P. L. 1304), known as the "Local Health Administration Law," from enacting ordinances or promulgating rules and regulations which impose restrictions or require either licensing or inspection or both in addition to the provisions of this act or the rules and regulations promulgated under the provisions of this act."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. TOMPKINS. Mr. Speaker, I would like to ask the gentleman to explain these amendments.

Mr. KAMYK. Mr. Speaker, I can explain the one set of amendments, but for the other set of amendments I will yield to the Majority Leader.

I understand the gentleman wants the amendments explained with which I am familiar.

Mr. TOMPKINS. There was a set of amendments that has already been approved. That is the one which grants the right to the department to give exemptions on the wrapping feature, labeling.

Now there is another set of amendments which refers to the right of County Health Boards to set up rules and regulations contrary to the provisions of the Act and the

rules and regulations of the department. That is the one concerning which I am asking for an explanation.

Mr. KAMYK. Mr. Speaker, that set of amendments excludes certain counties in the state from the provisions of this bill. Those are the counties that have health departments and have already set up regulations pertaining to bakeries.

Allegheny County is one of those counties that has a health department and it has regulations that have been working in good order in Allegheny County, and we want to keep it that way.

For that reason we are offering amendments to forget those regulations in Allegheny County.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, should we approve this set of amendments, in my opinion, we should throw the baking industry into utter confusion for this reason: If we give county boards of health the right to make rules and regulations of their own contrary to the provisions of this bill, I think we would find there are many bakeries with big branches in the city of Pittsburgh which distribute in nine or ten different surrounding counties. If every one of those nine or ten surrounding counties should see fit to set up a separate set of regulations in connection with baked goods, I think you can see the confusion into which it would throw the baking industry.

The same thing would apply to Philadelphia. The same thing would apply up in the northern tier. I know that bakeries from New York State cover eight or ten counties in the northern tier. If the county health unit in each county set up a separate set of regulations, for all practical purposes, you are going to nullify this legislation. You might better kill the bill rather than to permit every county in the state to set up its own regulations by ordinance or otherwise contrary to the provisions of this bill.

For that reason I am asking that the Members of the House vote down these amendments.

Mr. KAMYK. Mr. Speaker, I rise in support of these amendments.

It is not the first time that we have tried to classify counties because they have been classified in legislation on numerous occasions. In this particular instance there are four counties involved and they have good health departments and they have good regulations as far as food is concerned, including bread. We do not want to fool around with these regulations. We would like to keep them that way. Perhaps the bill will improve as far as the other counties are concerned, but Allegheny County and the other counties would like to be let alone and they would like to protect their present health regulations.

Mr. FARABAUGH. Mr. Speaker, I want to ask the gentleman if there is anything in the present law or in this law, if passed, that would prevent any county or municipality from adding to the state regulations if they so desired.

Mr. KAMYK. Would the gentleman repeat the question, please.

Mr. FARABAUGH. Is there anything in this law, if passed, or the present law that would prevent Allegheny County or any other municipality from adding health regulations to our state regulations if their department so desires.

Mr. KAMYK. Not to the four counties that have health units to take care of that particular phase.

Mr. FARABAUGH. Then, Mr. Speaker, if that is the case now, what is the point in exempting any one district from this law?

Mr. KAMYK. We are not quite exempting them. We are letting them keep certain regulations in addition to this.

Mr. FARABAUGH. Mr. Speaker, does the law not give you that privilege now?

Mr. KAMYK. It gives it now, but under this bill unless our counties are given the privilege of keeping the same regulations under this particular bill that they were set up under, the bill, if passed, would supersede anything else.

Mr. FARABAUGH. Thank you, Mr. Kamyk.

Mr. Speaker, I have no desire to oppose any health regulations that make food better or safer for the public, but I cannot see why this is not good for them if it is good for the rest of the state. I cannot see any reason why they should be exempt from any part of it when they can add to it when they so desire.

Mr. LAMB. Mr. Speaker and Members of the House, as I consider these amendments, I first have to consider and I think the whole House has to consider what is the best thing for the consumer.

In those counties that have health departments, and I specifically refer to Allegheny County, the county health department has in the past set down certain rules and regulations that bakeries must abide by. The reason they do this is to protect the consumer.

Under the present law and under the present set-up in the Agriculture Department, our rules and regulations in Allegheny County are a little bit better and if they protect the consumer a little bit more, then why should we not use our own regulations? It is for these reasons that these amendments were put in.

Without these amendments the powers that we have already taken upon ourselves in the local county health department in regulating the various bakeries will become null and void; they will depend solely upon the powers and the rules set down by the Agricultural Department. It is felt that certainly a local bakery is a local issue, and if we through better policing powers and through better health standards can improve and better the product, help and protect the consumer, that is what we ought to do. For these reasons I would ask the House to support the amendments.

Mr. LIGHT. Mr. Speaker, Members of the House, this is not the first time we have had a food bill before this House. The bill as it originally was presented to the House and to the Committee was a good bill. But some powers, presumably somebody beyond the state, cut out on page 7, lines 5 to 9, and added the section which is now to be amended by this new amendment.

I would like to say to this House that the food laws of Pennsylvania are reputed to be among the best in the country, even exceeding the provisions of some of the acts covering food and drugs in the Federal department. The Department of Agriculture has always had top men in the departments of food and chemistry to enforce these Acts. The truth of the matter is that the contention back of this bill, and which was also true of the other bills, was this big argument about artificial coloring of food.

They will not come out openly and say so in this bill, but the items on line 5 to 9 were presumably cut out so that the department would not have any power to look into that matter.

Personally, I do not think there is any call for this amendment. I think if you want to do anything at all pass the bill as is without amendment. Pittsburgh and Allegheny County are now functioning under these health regulations, and I do not suppose, nor do I have any knowledge that the department has tried to stop them. I think this House should not approve these amendments.

On the question recurring,

Will the House agree to the amendments?

A division was called for, ninety-six Members having voted in the affirmative and seventy-two in the negative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SANTA CLAUS WELCOMED

The SPEAKER pro tempore. The Chair has been informed that we have a very distinguished visitor with us today. The Chair would request our friend to come to the rostrum and greet the members, the boys and girls of the House of Representatives.

The Chair takes a great deal of pleasure in presenting to you Santa Claus.

(Gifts were presented to various Members of the House)

BIRTHDAYS OF MEMBERS

Mr. McCANN. Mr. Speaker, today is a special occasion for three Members of this House. Today is December 15th. It is the birthday of Dr. Boies, Sam Floyd and Nick Kornick, all members of this House.

I think it would be appropriate to take care of the birthdays of these three Members of the House of Representatives.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Floyd.

Mr. FLOYD. Mr. Speaker and Members of the House, this is really a pleasant surprise. I have not told anyone in the House that today is my birthday, so evidently the Speaker of the House or some other leader of this House, has a very good system in tracking down the birthdays of the Members of this House. I think they should be commended for a job well done.

I also would like to thank Mr. Ominsky, the Chief Clerk, and also Mr. Filo for the wonderful cards they sent me. Of the 210 Members of the House, it seems as though some of them would probably forget the birthdays of some of the Members, but evidently they have a very good system in the House. Again, I want to thank each and every one of you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, I thought this was going to be a secret until about 2:00 o'clock when I went to the mail box and found a card there. I never told my colleagues or anyone else about this being my birthday, but nevertheless that man McCann keeps a watch on

everything. So, I want to thank the Members very kindly for singing "Happy Birthday." Thank you very kindly.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Dr. Boies.

Mr. BOIES. I was out getting coffee, Mr. Speaker, so you know that I did not expect it. I want to thank everybody. I have been around here a long time and it seems sometimes as though it was too long.

I want to assure the Members that my years spent here have been probably the most rewarding and gratifying part of my life. I certainly appreciate the associations and the friendships, and I thank each and every one of you.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CURWOOD asked and obtained permission for the Committee on Fisheries to meet during the session of the House.

RESOLUTION

RECALLING HOUSE BILL No. 1830 FROM THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 15, 1959

Resolved (if the Senate concur), that House Bill No. 1830, Printer's No. 1999, entitled "An Act defining the terms 'church' and 'place of actual religious worship' as used in acts of assembly heretofore and hereafter enacted relating to the taxation of real estate" be recalled for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 762

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 762.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

Mr. McCANN. There will not be a Democrat caucus. We have caucused and covered the calendar, but I ask that all the Members please stay here because we will be voting on House Bill 2093 when the Republicans return from their caucus. It is a highly controversial bill, and we are also going to present the question of dividing the issues, voting section by section.

RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of thirty minutes.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 959, 998, 1161, 1589, 1948, 2291 and 2383.

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 959, Printer's No. 2018, entitled "An Act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 998, Printer's No. 2017, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' by defining distressed school districts creating and authorizing a special board of control to assume control of the affairs of such districts defining the powers and duties of the Superintendent of Public Instruction with regard thereto authorizing the levy of an additional tax in certain cases imposing duties on boards of school directors and authorizing their removal in certain cases."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1161, Printer's No. 1375, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' further regulating reimbursements made by the Commonwealth to union and merged districts and jointures."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1589, Printer's No. 646, entitled "An Act amending the act of April 14, 1925 (P. L. 234) entitled 'An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties' eliminating fees for licenses issued under the act."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1948, Printer's No. 1385, entitled "An Act providing for the orderly disposition of properties situate within political subdivisions and donated or otherwise dedicated or offered for dedication where no formal record appears as to acceptance by the political subdivision as public parks squares or similar uses and public buildings and no longer necessary or practicable for such purposes and granting orphans' courts jurisdiction with respect thereto."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2291, Printer's No. 1549, entitled "An Act amending the act of June 24, 1939

(P. L. 872) entitled 'The Penal Code' prohibiting the sale of starter pistols to minors."

DAVID L. LAWRENCE.

December 15, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2383, Printer's No. 1797, entitled "An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments claims and liens."

DAVID L. LAWRENCE.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1472 entitled:

An Act authorizing the Department of Property and Supplies with approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1472

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. EILBERG and KEE and MRS. PASHLEY.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2431, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2431

The SPEAKER. The Chair appoints as a Committee of

Conference on the part of the House, Messrs. MIHM, POLEN and BOWER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 900, entitled:

An Act amending the act of June 24, 1937 (P. L. 2017) entitled "County Institution District Law" including neglected children within the powers and duties of the local authorities.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 900

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. SCHAAF, KAMYK and MRS. DONAHUE.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House Bill No. 2093, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

On the question recurring,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, may I interrogate the Minority Leader, Mr. Johnson.

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, consent to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the Minority Leader, Mr. Johnson, inform the House if I divided the issues in House Bill 2093, voting each one separately, as to a chairman and the members, or voting it by a section, what the outcome would be in comparison to voting on the bill as a whole, as far as the Republican membership is concerned.

Mr. A. W. JOHNSON. Mr. Speaker, in answer to the question, our caucus has decided that there will be no votes on the bill by line or by section, and, as far as we know, there are no votes for the bill as a whole, either.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

It was the intentoin on this side of the House to divide the issue. Last week when House Bill 2093 was voted on and defeated, there were many Members who said, for example, I will vote for the Turnpike, I will vote for the Parole Board, but I will not vote for so and so. With that

in mind, we agreed that we would bring the bill back today and vote line by line, item by item, or section by section.

Since the issue as to the result of the vote on House Bill 2093 is very apparent, I am satisfied with any type of a roll call that anyone desires because the bill will fall. This will be the end of House Bill 2093 and a salary increase for these boards and commissions.

I certainly am very sorry to see this happen. Therefore, I ask that the bill be voted on at this time and be disposed of. There will be no more increases in salaries for this group in this Session.

Mr. FILO. Mr. Speaker, as much as I would like to see this bill passed, with the knowledge of the Minority Leader, and the knowledge that our Majority Leader, Mr. McCann, gave us regarding the vote on this bill, I can see no good reason for any of the Members in this House to be put on the spot.

On the question recurring,
Shall the bill pass finally?

MOTION TO RECOMMIT

Mr. FILO. Mr. Speaker, I move that this bill be recommitment to the Committee on Rules for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, House Bill 2093 was voted on before in the same form as it is now. The Democratic vote on this side is clearly indicated on the bill. The vote today would be the same nay votes of the Democratic Members that existed before three nay votes and the rest yea votes.

With that, Mr. Speaker, I concur to recommit the bill to the Committee on Rules because of not enough votes to insure its passage.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 725, entitled:

An Act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice prescribing its powers and duties and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, Senate Bill 725 calls for a commission to be set up consisting of juvenile judges, I believe nine. With that I have not any particular argument if it would help them in the proper disposition of cases after they have come before the juvenile judges, and that is when the juvenile judges of the state get into the problem.

I cannot see how this commission is going to attack in any way, shape or form, the entire problem of juvenile delinquency over this state. I want to point out, Mr. Speaker, and I think this is very, very serious on the

part of this House and on the part of this Legislature, that this bill does definitely put the juvenile judges of this court, and probably from that there would be a step to put other judges, common pleas judges, orphans' court judges, quarter session judges, and so forth, into the administrative field where they have no right to be, under our system of government.

Under our system of government there is a distinct separation of powers, and so there should be between the judicial branch, the legislative branch and the executive branch of our state government. It is rightly so, and it should be kept that way.

But here we have, if we vote for this bill, a class of judges throughout the state moving into the administrative field. I say to you, Mr. Speaker, and to the Members of this House, that is a bad step to take. If we pass it, it may be one—I hope not but I am afraid of it—that this Legislature very, very sorely will regret ever having taken.

In addition to that this bill is in direct contradiction to powers already given in the same field to the Welfare Department. I think, by and large, the Welfare Department, with what they have had to work with, with no overall picture or commission set-up to look at the entire picture of this juvenile delinquency over the state, is doing a good job.

The juvenile court judges of this state, at all times have had the benefit of studies and investigations of the technical personnel in the Welfare Department set-up in the various bureaus to take care of this juvenile delinquency problem. Of course, it can be recognized that the problem has not been solved. We are today as far from solving it as we were ten years ago.

There are so many different angles to this problem of juvenile delinquency that I do not believe one commission composed of one class of people sitting in on juvenile cases can solve the problem by any manner of means. We have the angle of educational retardation; we have the angle of broken homes; we have the angle of misdirected and misguided children; we have the angle of economic conditions in families affecting the problem of juvenile delinquency; we have the angle that juvenile delinquents, no matter what crime they commit, possibly with the exception of murder, cannot be brought before the criminal court of this state but are treated as a separate class. They are treated as a separate class of juvenile drivers between the ages of sixteen and eighteen and do not even come under the provisions of the Motor Vehicle Code.

We have the problem that law enforcement officers all over this state are crying out for aid against these hoodlums between sixteen and eighteen, and I am not talking especially about the ones that commit acts of malicious mischief. I am talking about the thugs that use scissors, knives, sharpened umbrella points, table knives, kitchen knives, any kind of an instrument they can sharpen into a lethal instrument to commit assault, mayhem, upon the citizens of this Commonwealth. Certainly they are not being deterred today by the punishment that is being handed out to them. That is for sure.

If penal laws are going to have the effect they should have, and that is to deter people from committing serious crimes that are crimes against society as a whole, then they should have proper administration over acts of hoodlums, even though some of them are in their

teens, to act as a deterrent. You can debate all you want to but in my book, if these delinquent children, these juveniles, who are committing these horrid crimes of assault and battery, robbery and mayhem all over the state certainly would know that they are going to be punished to the full effect of the law and not be let off so they can go back and thumb their noses at the judges, laugh at the judges as they are doing today, then I would say it would be a proper deterrent and the penal laws would have the proper effect that they should have.

There was reported out of Committee today House Bill 2016. It was introduced in this House on June 16, 1959. This bill would set up a youth authority under practically the same provisions that the gentleman from McKean, Mr. Johnson, our Minority Leader, was prepared to introduce to this bill 725 with some amendments and some changes. That bill calls for a nine-member commission and would put it under Welfare. I think it ought to be under the Justice Department. This bill calls it a youth authority and calls for three members, but certainly any one in this House, any person in this Commonwealth, who is interested in properly attacking this problem of juvenile delinquency—

POINT OF ORDER

Mr. GAILEY. Mr. Speaker, I rise to a point of order. The SPEAKER. The gentleman will state it.

Mr. GAILEY. Mr. Speaker, while I am sure all the Members of the House are interested in hearing the views of the gentleman from Blair on the problems of juvenile delinquency, I do not think that which he is saying is germane to the bill which is in front of us. As a matter of fact, he is talking about some other bill now, and I do think he should be restricted to the bill which is before us.

Mr. AUKER. If the gentleman from York would hear me out, he would find that my remarks are leading up to debate on Senate Bill 725, and why I do not think it should be passed.

The SPEAKER. The Chair has not been following the course of the debate as closely as the gentleman from York has been following it. We would ask the gentleman from Blair to spend less time leading up and debate the bill.

Mr. AUKER. Mr. Speaker, to develop an argument sometimes you have to lead up to it, and the gentleman from York knows that as well as I do. He has done it himself in this House and nobody questioned it.

The SPEAKER. We have had so much good humor today with the visit of Santa Claus it would be very lamentable for any evidence of temper, and the Chair asks the gentleman from Blair to bear with the infirmities of the Chair who must, when called upon, keep debate within proper limits. The gentleman will proceed.

Mr. AUKER. Mr. Speaker, I wanted to bring out in my mentioning of House Bill 2016 that this, to my mind, would certainly be a very, very fine approach to handling the entire problem of juvenile delinquency, and with the amendments that would go into it tomorrow, if you pass this bill, Senate Bill 725, which we are presently considering and if this House and the Party on the other side of the aisle, and this Administration is sincere in trying to solve this overwhelming and very serious and vital problem of juvenile delinquency, then

they would cancel 725, not vote on it and pass 2016, as they still have time to do. If they do pass it, and I very seriously question whether 2016 will ever pass this House, in time in the closing days of this session to get past the Senate and get proper consideration there, I say this emphatically, I very seriously question the sentiments and the feelings of the Democratic Party and of this Administration as to whether or not they really are vitally interested in solving this problem of juvenile delinquency. I am willing to let the people of this Commonwealth decide whether that is not true.

Mr. McCORMACK. Mr. Speaker, I would like to briefly say a few words in favor of this bill.

I tried with a great deal of difficulty to follow the logic in the gentleman from Blair's argument with respect to the merits of this bill. I just could not understand it, because he clearly in his argument set up the terrible problems that we face in the Commonwealth of Pennsylvania today with respect to juvenile delinquents, and he has mentioned another bill that was reported out of committee that would be a step in the right direction.

I have examined the provisions of this bill rather carefully and frankly I am at a loss as to why the great city of Philadelphia, which certainly is steeped in the problems of juvenile delinquency today, is not included in this bill. Why it is not I do not know. I have not heard any reason for its exclusion, but because it is not included in the bill I think that is wrong. Nevertheless, it applies to other countries throughout the Commonwealth.

The bill before us is a step in the right direction, and I say that because it seems to me the ones who are most familiar with this problem, apart from the Welfare agencies that handle these juvenile delinquency problems, and there is no greater source of information and knowledge than that which lies within the judges of the juvenile court who deal with this terrible problem. They almost exclusively have a source of knowledge that they could carry to this commission and they could give this commission sufficient information based upon their vast experience in this field so that they could perhaps work out some revised procedures with respect to the laws pertaining to delinquent children.

This is administered by the Department of Justice and I think the argument that this involves the violation of the concept of our democratic form of government and a separation of powers is without foundation because the judges are the ones who will form this commission and it is only under the Department of Justice which administers the carrying out of justice that there is a relationship. It is a coordination of efforts and certainly this coordination does not violate that principle. I think this is a step in the right direction.

It carries a very modest appropriation, I think \$15,000. The original appropriation, I understood, was to be \$75,000, but it will enable us to get an insight into the problem from these judges, and as a result of the information which they can give I think we will possibly be able to look closer at this delinquency problem and enact subsequent legislation that would perhaps tend to curb it. Although I do not necessarily say that we would ever be able to do away with it, it would possibly reduce the problem today.

Therefore, I think we ought to have bipartisan support in passing this very good bill.

Mrs. KOOKER. Mr. Speaker, I, too, rise to support Senate Bill 725 because I am very much interested in this bill. The newspapers every day are writing about delinquency. The public and many special groups of interested people have been discussing the juvenile delinquency problem and pleading that something be done about it.

This bill does seek to do something about it. This is, I feel, a step in the right direction. Many people have been complaining that the juvenile courts have failed in its mission. This charge, in some instances, is probably not wholly without foundation. However, it would be unfair to say that the juvenile court's concept has been a failure. It simply has not had a decent chance to declare, by statute, that a court shall be called a Juvenile Court, and to impose the responsibilities of the office on a judge by legislative act. It can accomplish very little of value, unless the juvenile court judge is provided with the proper tools, so that it is possible for him to meet the grave responsibilities that are imposed upon him. Many juvenile court judges in Pennsylvania, recognizing the inadequacy of the tools provided them, have determined to make an appeal of their own for assistance in this problem, not for their own sake, but for the benefit of the delinquent and neglected youths who appear before them. Thus, this bill to create a juvenile court judge's commission has come into being. This bill has the unanimous vote of the members of the Pennsylvania Council of juvenile court judges, at their meeting in January of 1959. It was also approved in April by the Board of Governors of the Pennsylvania Bar Association.

Senate Bill 725, if enacted into law, will provide the means to accomplish something constructive. It will give the juvenile court judges a background of understanding and realism when they are faced in their daily dealings with juvenile youths. Nothing that is contained in this proposed legislation will in any way extend the jurisdiction of the juvenile court. It is merely an effort to improve the standards of the juvenile court to enable them to handle more effectively the juvenile court cases that come under their jurisdiction. The Judges interested in this bill have given many hours of their personal time, at their own expense, to attend meetings and conferences to study and to accomplish something of value, and have never asked any reimbursement for their efforts.

The proposals in this bill are the result of their studies. The Commission which the bill sets up, would keep the placement and supervision under the local juvenile court rather than have the jurisdiction under the county commissioners. Creating a juvenile court commission, as set up in Senate Bill 725, would save the taxpayers many dollars in the end, and the best interests of the child will be strongly safe guarded.

Again, I say it is a step in the right direction, and I ask that all who can find it within their means, to give support to Senate Bill 725.

Mr. A. D. WILLIAMS. Mr. Speaker, I so seldom have an opportunity to agree with the gentleman from Philadelphia, Mr. McCormack that I would like to take this opportunity to agree with him in most of what he said.

I would like to point out that the gentleman from Blair, Mr. Auker, as I understood him, has stated that there is a tremendous juvenile problem in Pennsylvania, with which we all agree. He goes on to say that Senate

Bill 725 is not the entire answer, and with him, I again agree. However, while it is not a giant step forward, it is a step forward. It is only going to cost the Commonwealth of Pennsylvania \$15,000, more or less, and I think we would be fools not to pass this good legislation.

Mr. AUKER. Mr. Speaker, in view of what has been said against the bill, I do not believe that the people who spoke, and maybe some others, fully understand what I was trying to put across.

I agree, too, that this bill is a step in the right direction, but the point I was trying to make, is that it is only a step. We have taken other steps and they have not had any effect. They have not solved the problem.

What I was trying to bring out, is that here we have a chance to go further, and attack the entire problem, not just take a little step but take a giant step, in solving this problem. That is what I was trying to bring out.

I say that 2016, if passed and taking the place of this bill, will do that, but this bill will not. I tried to have the House take a giant step, not a little step, not to approach it piecemeal, but set up a proper commission so that all angles can be studied, and this problem solved in a giant way not by taking little mincy steps and piecemeal legislation which, to my mind, will not accomplish anything.

Let us take, for instance, the juvenile court judges who cannot from the bench, say that no more pornographic literature will be sold on the newsstands. They cannot censor movies, they cannot censor TV, and they cannot go into homes and try to correct economic conditions. They cannot set up rehabilitation centers, they cannot set up forestry camps. They cannot do anything of that nature. But under this bill they can, and that is what I am trying to bring out. Let us take a real step, not a little piecemeal step. Here we have the chance to take it, and I say if we do not take it, we are not doing a proper job.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

| | | | |
|-------------|-------------------|--------------------|------------|
| Anderson, | Galley, | McCormack, | Rudisill, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Balthaser, | Garlock, | McInroy, | Scarcelli, |
| Bell, | Gelfand, | McKeever, | Schaaf, |
| Boies, | Gibb, | McLaughlin, | Schuster, |
| Bonner, | Goldstein, J. H., | Machmer, | Schwartz, |
| Boris, | Goodrich, | Mahan, | Seltzer, |
| Bower, | Gramlich, | Maxwell, | Sherman, |
| Bowman, | Guthrie, | Meholchick, | Shupnik, |
| Branca, | Hamilton, | Mihm, | Silverman, |
| Brenninger, | Heavey, | Miller, B. Z., | Snare, |
| Breth, | Helm, | Mills, | Snider, |
| Brown, | Holt, | Muldowney, | Stank, |
| Buchanan, | Horst, | Mullen, | Stewart, |
| Burns, | Irviss, | Munley, | Stone, |
| Capano, | Isaacs, | Murphy, A. J., Jr. | Stoner, |
| Capitolo, | Jim, | Murphy, P. J., | Strausser, |
| Cianfrani, | Johnson, A. W., | Murray, H. P., | Stroup, |
| Cioffi, | Johnson, R., | Murray, J. J., | Sullivan, |
| Comer, | Jones, F. R., | Musto, | Taylor, |
| Curwood, | Kamyk, | Naugle, | Thompson, |
| Davis, | Kee, | Needham, | Tompkins, |
| Dengler, | Keiser, | Nelson, | Trusio, |
| Dennis, | Kernaghan, | O'Donnell, J. A., | Varallo, |
| Devlin, | Kessler, | O'Donnell, J. P. | Varnier, |
| Donahue, | Knecht, | Odorisio, | Verona, |
| Donaldson, | Kooker, | Ogilvie, | Wall, |
| Dougherty, | Kornick, | O'Neil, | Walsh, |
| Eilberg, | Korna, | Parlante, | Wargo, |
| Edwards, | Kovolenko, | Pashley, | Weidner, |

Eshback,
Eshleman,
Ewing,
Farabaugh,
Fetterolf,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Fox,
Frank,
Frascella,

Kubitsky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lippincott,
Lopresti,
Luigard,
Lutty,
McCandless,
McCann,

Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reihman,
Renwick,
Rigby,
Riley,
Rovanssek,

Welsh,
Wescott,
Wheeler,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Wilt,
Wynd,
Yatron,
Yetter,
Andrews,
Speaker

NAYS—18

Agnew,
Ashton,
Auker,
Barton,
Dennison,

Fulmer,
Haudenschild,
Henzel,
Hocker,
Holliday,

Markley,
Miller, H. G.,
Royer,
Steckel.

Stimmel,
Wood,
Worley,
Zimmerman,

NOT VOTING—22

Blair,
Clarke
Cooper,
Crossin,
Down,
George,

Goldstein, M. H.,
Merry,
Heffner,
Monroe,
Jenkins,
Moran,
Jones, T. H. W.,
Murray, P. G.,
Jump,
O'Dell,
Magee,

Reidenbach,
Stevens,
Ujobal,
Willard,
Willaredt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the sam without amendment.

RESOLUTION

DISCHARGING COMMITTEE ON SENATE BILL No. 78

Mr. AGNEW offered a resolution which was read by the Clerk as follows:

In the House of Representatives, December 15, 1959.

Resolved, That Senate Bill No. 78, Printer's No. 78, entitled "An act amending the act of August 26, 1953 (P. L. 1476), entitled 'An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV, Section 8 of the Constitution of Pennsylvania and to supplement the First Class City Home Rule Act, approved April twenty-one, one thousand nine hundred forty-five (Phamphlet Laws 665), by vesting in the Council of the City of Philadelphia full powers to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of certain officers, offices, boards and commissions of the City of Philadelphia, providing that such officers may be made appointive or abolished, altering the term of the District Attorney of Philadelphia and establishing the status of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission, the members of such board and commission and the subordinates and employes of such officers, board and commission,' removing the exclusion of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission from the provisions of section 2 and providing that such officers be included within the provisions of the said section so that the Council of the City of Philadelphia shall have full power to legislate with respect to the election, appointment, compensation, organization, abolition, merger, consolidation, powers, functions and duties of the Sheriff, City Commissioners, Board of Revision of Taxes Registration Commission of the City of Philadelphia, subject to approval of the electorate of the City of Philadelphia," having been referred to the Committee on Cities-Counties of the First Class on February 9, 1959, and the committee not having reported the same to the House for a period of over fifteen days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

Mr. AGNEW. Mr. Speaker, I desire first to make it perfectly clear that this is a discharge resolution on Senate Bill 78, the Legislative proposal which is the final plan of the city-county consolidation in the largest city of the Commonwealth, the great city of Philadelphia.

This legislative proposal, Mr. Speaker, has the announced support of the Democratic party in Philadelphia, the Republican party in Philadelphia, the Committee of Seventy and all other governmental forces, including the Greater Philadelphia Movement, and is supported by Philadelphia's newspapers. It is supported by Mayor Dilworth, who is such a wonderful mayor he was recently proposed as a possible candidate for president. It was introduced in the early days of this Session in the other body and was passed with a vote of 50 to 0.

Since early Febraury, this bill has been resting, getting warmed up for today I suppose, in the Committee of this House, Cities-Counties First Class, dominated by the Philadelphia Members of the majority of this House. If all the good government forces of Philadelphia, all the journalistic forces in Philadelphia, the titular head of the Democratic party in Philddelphia, all the Democratic state Senators in Philadelphia, everybody else who has made a public utterance on this bill is in favor of it, I think we might ask ourselves why has not this bill been brought before this House for a favorable vote, that the Governor could sign so that the much desired city-county consolidation in Philadelphia would be an accomplished fact.

I am not from Philadelphia but I have the honor of introducing this discharge resolution. The Members of my party from Philadelphia graciously gave me that honor. I would like the Chairman of that Committee, if he will, to give a logical explanation of why his committee has not acted favorably on that bill and reported it to the floor of the House. I am not interrogating him at this time. I intend to have additional remarks to make on this resolution, and for that purpose I am very happy to yield to the gentleman from Philadelphia, Mr. Stewart.

POINT OF ORDER

Mr. McCORMACK. Mr. Speaker, I would like to raise a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. McCORMACK. With respect to the last remark by the gentleman from Allegheny County, Mr. Agnew, calling upon the Chairman of the Committee to give an explanation as to why the bill has not been brought up, I submit that that is in violation of the Rules with respect to debate in the Committee on any particular bill that is in that committee.

The SPEAKER. The Chair would hold that the only proper interrogation is whether or not the Chairman of the Committee is or is not prepared to hold a meeting of his committee, but interrogation beyond that point, the Chair would hold is out of order. That is a precedent set a number of years ago, and it happened the Chair was on the floor and helped to make that precedent.

Mr. AGNEW. Mr. Speaker, I specifically said I did not wish to interrogate the gentlemen. I merely wanted to say

that the gentleman is at liberty to make any remarks on the floor on this resolution he wants to. I am not interrogating him. I yield to the gentleman from Philadelphia, Mr. Stewart.

Mr. STEWART. Mr. Speaker, Senate Bill No. 78, known as the City-County Consolidation Bill, is a bill which by the platform of both parties we have endorsed one hundred percent. It is a bill that no one has criticized. It is a bill that has been in Committee eleven months. It is obvious from the last lesson on November 2—I stand corrected, November 3, it was such a terrible beating that I even forgot the date. The Republican party in Philadelphia unfortunately has been on the side which indicates that we are not for good government legislation, but fortunately for us here is an opportunity, and I call upon the Philadelphia Democratic delegation to support this discharge resolution. It is obvious that the Democrat machine along with the rest of Green's ghouls, are gloating over the political spoils.

The SPEAKER. I must request the gentleman not to make such animadversions which may stir up lengthy and not tempered discussion, if he can prevent it.

Mr. STEWART. Mr. Speaker, I will try to be more temperate, but in the political battlefield I assumed that forensic ability was one of the legitimate means of attacking one's opponent.

The SPEAKER. The Chair would ask all Members of the House to think over the fact that this is not a political forum, that this is a legislative body. I could sometimes say that when the Minority Leader is speaking, but I never have.

Mr. STEWART. I will attempt to be more judicious in my speech, Mr. Speaker.

This is one opportunity when those who are for good government can vote to have this bill considered by the whole House. In effect we become a committee of the whole and we discuss intelligently the pros and cons of this legislation. If it is bad, let us have the discussion here on the floor in public. It is obvious that this legislation not only is needed but is a must for Philadelphia if it is to progress. The Greater Philadelphia Movement, the Committee of Seventy and every other civic group in Philadelphia has asked for this legislation. I think it is clear that a vote against this discharge resolution is a vote against good government in Philadelphia.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. AGNEW and TOMPKINS.

A verification of the roll was requested by Messrs. AGNEW, TOMPKINS and LIPPINCOTT.

The roll was verified and was as follows:

YEAS—75

| | | | |
|-------------|-------------------|----------------|----------------------|
| Agnew, | Fox, | Kooker, | Snare, |
| Ashton, | Fulmer, | Korns, | Steckel, |
| Auker, | Gibb, | Kubitsky, | Stewart, |
| Barton, | Goldstein, J. H., | Lee, A. M., | Stimmel, |
| Bell, | Gramlich, | Lee, K. B., | Strausser, |
| Boris, | Guthrie, | Lippincott, | Stroup, |
| Bower, | Haudenschild, | McCandless, | Thompson, |
| Bowman, | Helm, | McCormack, | Tompkins, |
| Brenninger, | Henzel, | Mahan, | Varnier, |
| Buchanan, | Holliday, | Markley, | Wall, |
| Davis, | Horst, | Miller, B. Z., | Weldner, |
| Dengler, | Isaacs, | Miller, H. G., | Wescott, |
| Dennison, | Johnson, A. W., | Murray, H. P., | Williams, A. D. Jr., |
| Donahue, | Johnson, R., | Ogilvie, | Williams, E. S., |
| Donaldson, | Kee, | Price, | Wilt, |

Edwards,
Eshback,
Ewing,
Fetterolf,

Kelser,
Kernaghan,
Kessler,
Knecht,

Pursley,
Rigby,
Royer,
Seltzer,

Wood,
Worley,
Zimmerman,

NAYS—94

Anderson,
Arlene,
Balthaser,
Boles,
Bonner,
Branca,
Breth,
Burns,
Capano,
Capitolo,
Cianfrani,
Cioffi,
Comer,
Curwood,
Dennis,
Devlin,
Dougherty,
Eilberg,
Farabaugh,
Filo,
Floyd,
Flynn,
Foerster,
Frank,

Frascella,
Gailey,
Gallagher,
Garlock,
Gelfand,
Hamilton,
Hocker,
Holt,
Irlis,
Jim,
Jones, F. R.,
Kamyk,
Kornick,
Kovolenko,
Lamb,
Leonard,
Limper,
Lopresti,
Luigard,
Lutty,
McCann,
McDonald,
McKeever,
McLaughlin,

Machmer,
Maxwell,
Meholchick,
Mills,
Muldowney,
Munley,
Murphy, A. J., Jr.,
Murray, J. J.,
Musto,
Needham,
Nelson,
O'Donnell, J. A.,
O'Neill,
Parlante,
Pashley,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Reibman,
Renwick,
Riley,

Rovansek,
Rudisill,
Sakulsky,
Scarcelli,
Schaaf,
Schwartz,
Sherman,
Shupnik,
Silverman,
Snider,
Stank,
Stone,
Sullivan,
Varallo,
Verona,
Walsh,
Wargo,
Welsh,
Wheeler,
Wynd,
Yatron,
Yetter,
Andrews,
Speaker

NOT VOTING—41

Blair,
Brown,
Clarke,
Cooper,
Crossin,
Down,
Eshleman,
Fineman,
George,
Goldstein, M. H.,
Goodrich,

Heavey,
Heffner,
Jenkins,
Jones, T. H. W.,
Jump,
Light,
McInroy,
Magee,
Merry,
Mihm,

Monroe,
Moran,
Mullen,
Murphy, P. J.,
Murray, P. G.,
Naugle,
O'Dell,
O'Donnell, J. P.,
Odorisio,
Perry, H. H.,

Reidenbach,
Schuster,
Stevens,
Stoner,
Taylor,
Trusio,
Ujobal,
Whittaker,
Willard,
Willaredt,

So the question was determined in the negative and the resolution was not adopted.

RESOLUTION

DISCHARGING COMMITTEE ON SENATE BILL,
No. 1047

Messrs. STROUP and STROUSSER offered a resolution which was read by the Clerk as follows:

In the House of Representatives, December 15, 1959.

Resolved, That Senate Bill No. 1047, Printer's No. 1423, entitled "An act amending the act of April 29, 1959 (P. L. 58), entitled 'An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors' changing provisions relating to and providing for the revocation and suspension of operators' licenses and operating privileges on the basis of a point system," having been referred to the Committee on Rules on September 29, 1959, and the committee not having reported the same to the House for a period of over fifteen days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

Mr. STROUP. Mr. Speaker, first of all I would like to clarify, in addition to the reading by the Clerk, that this discharge resolution pertains to Senate Bill 1047, which deals with the utilization of the point system in application to the suspension of operating privileges in the Commonwealth.

I was particularly interested in this matter since it came from the other body and has been languishing in delectable composure in the Rules Committee. More so when

several of my very good colleagues on the other side of the House several days ago addressed this House under unanimous consent, calling attention to the fact that the present system of suspending operating privileges was inequitable, inept and inadequate under all of the circumstances, citing some of the perfunctory hearings held before the Department representatives and the punitive qualities imposed upon our citizens who make their livelihood by the privilege which the Commonwealth imparts to them by granting them a driver's license.

Senate Bill 1047, presently hiding in our Rules Committee, apparently is favored very much by labor. It has received commendation from thousands upon thousands of our citizens; it has been effectively used and admirably complimented by drivers' associations throughout the United States in more than 23 or 25 states; it has proved very beneficial in Connecticut for example, where it had its initiation. It has every reason, from every standpoint, to at least receive favorable consideration from the Committee and brought upon the floor of this House so that we would have a chance to consider its merits or its disadvantages.

I will not belabor the House longer, Mr. Speaker, or go into the merits of the bill, unless the same should be challenged. However, I do believe that there is, in this House on both sides of the aisle, sufficient attitude and approval toward Senate Bill 1047 and the utilization of a point system, that the Committee should be discharged if it will not grant us the right to consider it on the floor of the House.

Mr. McCANN. Mr. Speaker, Senate Bill 1047 is in the Rules Committee. It does deal with the point system. It was passed by the Senate. The bill has many errors in it; it has been chastised publicly by the newspapers of this Commonwealth, in editorials of the Pittsburgh Press, Sun-Telegraph, Philadelphia Inquirer, Bulletin, Harrisburg Patriot, Harrisburg Evening News, Allentown paper, Washington Observer, the Beaver Falls Journal and other newspapers of this Commonwealth. I believe the full intent of the bill is rather clear. We believe in parts of the bill but it still needs some work to complete a bona fide proper point system. With that I ask that all the Members vote no on the discharge resolution.

Mr. STROUP. In reply to the Majority Leader I would just like to say this one particular thing and that is, first, that this bill passed the other body 50 to 0, I think it was on the 14th of September. Second, that it has been amended carefully and most of the objections that have been made by certain parties against this bill have been removed by amendments.

It is as of the present time in the form I believe which the administration itself would approve. The errors which the Majority Leader points out are no longer in that bill. I ask the Members to vote for the discharge of the committee so that we may have an opportunity to consider this very good measure.

Mr. VARNER. Mr. Speaker, I would like to make the comment that this day is a rather historic occasion when the age-old Grand Old Party abandons their "no discharge resolution" system which they have stuck by for many years, and I hope that it is the beginning of a re-birth of activity in the Republican party throughout the state.

I too, feel as the gentleman from Bedford, Mr. Stroup,

does, that something should be done about the arbitrary manner in the way drivers' licenses are taken from citizens—their bread and butter—in this Commonwealth. I would ask that you vote for this resolution.

Mr. McCANN. Mr. Speaker, I have been asked to clear one point regarding Senate Bill 1047, and I think it is only fair that I do clear it.

The union that is interested in this bill met with the Governor or the Governor's representative, and I believe there are discrepancies in the bill. Senate Bill 1047, I believe, in a news conference, the Governor said he would veto, which is the point system, if that is the answer you are seeking.

I am confident—I cannot recall all the details—except to say that I know there are sections in which the penalty now is greater than the point system provides. I basically believe in some portions of this bill but I also am a fond believer in highway safety a little stronger than most people because I have watched an awful lot of people get killed. I think that you and I will agree that Senate Bill 1047 has some merit but it has defects. This must be worked out. I believe there was a conference just took place this week in northeastern United States covering those states and which I believe one or two of our people attended.

I ask that you vote no on this discharge.

Mr. TOMPKINS. Mr. Speaker, If the bill is in the condition that the Majority Leader says it is, then why not get it reported out and we will take care of the defects by amendments on the floor of this House.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. STROUP and AGNEW and were as follows:

YEAS—74

| | | | |
|------------|-------------------|----------------|-----------------------|
| Agnew, | Fulmer, | Korns, | Steckel, |
| Ashton, | Gibb, | Kubitsky, | Stewart, |
| Auker, | Goldstein, J. H., | Lee, A. M., | Stimmel, |
| Barton, | Gramlich, | Lee, K. B., | Strausser, |
| Bell, | Guthrie, | Lippincott, | Stroup, |
| Boris, | Haudenschild, | McCandless, | Tompson, |
| Bower, | Helm, | Mahan, | Tompkins, |
| Buchanan, | Henzel, | Markley, | Varnier, |
| Davis, | Holliday, | Miller, B. Z., | Wall, |
| Dengler, | Horst, | Miller, H. G., | Walsh, |
| Dennison, | Isaacs, | Murray, H. P. | Weidner, |
| Donahue, | Johnson, A. W., | Murray, J. J., | Williams, A. D., Jr., |
| Donaldson, | Johnson, R., | Ogilvie, | Williams, E. S., |
| Edwards, | Kee, | Price, | Wilt, |
| Eshback, | Kelser, | Pursley, | Wood, |
| Fetterolf, | Kernaghan, | Rigby, | Worley, |
| Filo, | Kessler, | Seltzer, | Wynd, |
| Fox, | Knecht, | Snare, | Zimmerman, |
| Frank, | Kooker, | | |

NAYS—85

| | | | |
|------------|---------------|---------------------|------------|
| Anderson, | Gallagher, | McLaughlin, | Royer, |
| Arlene, | Garlock, | Machmer, | Rudisill, |
| Balthaser, | Gelfand, | Meholchick, | Sakulsky, |
| Bonner, | Hamilton, | Muldowney, | Scarcell, |
| Bowman, | Hocker, | Munley, | Schaaf, |
| Breth, | Holt, | Murphy, A. J., Jr., | Schwartz, |
| Burns, | Irlis, | Musto, | Sherman, |
| Capano, | Jim, | Nelson, | Shupnik, |
| Capitolo, | Jones, F. R., | O'Donnell, J. A., | Silverman, |
| Cianfrani, | Kamyk, | O'Neil, | Snider, |
| Cioffi, | Kornick, | Parlante, | Stank, |
| Comer, | Kovolenko, | Pashley, | Stone, |
| Curwood, | Lamb, | Perry, P. E., | Sullivan, |
| Devlin, | Leonard, | Petrosky, | Varallo, |
| Dougherty, | Limper, | Polaski, | Verona, |
| Eilberg, | Lopresti, | Polen, | Wargo, |
| Farabaugh, | Luigard, | Prendergast, | Welsh, |
| Floyd, | Lutty, | Reibman, | Wheeler, |

| | | | |
|-------------------|-------------------|------------------|-----------------|
| Flynn, | McCann, | Renwick, | Yetter, |
| Foerster, | McCormack, | Riley, | Andrews, |
| Frascella, | McDonald, | Rovansek, | Speaker |
| Galley, | McKeever, | | |

NOT VOTING—51

| | | | |
|--------------------|--------------------------|--------------------------|--------------------|
| Blair, | George, | Mihm, | Reidenbach, |
| Boles, | Goldstein, M. H., | Mills, | Schuster, |
| Branca, | Goodrich, | Monroe, | Stevens, |
| Brenninger, | Heavey, | Moran, | Stoner, |
| Brown, | Hefner, | Mullen, | Taylor, |
| Clarke, | Jenkins, | Murphy, P. J., | Trusio, |
| Cooper, | Jones, T. H. W., | Murray, P. G., | Ujobal, |
| Crossin, | Jump, | Naugle, | Wescott, |
| Dennis, | Light, | Needham, | Whittaker, |
| Down, | McInroy, | O'Dell, | Willard, |
| Eshleman, | Magee, | O'Donnell, J. P., | Willaredt, |
| Ewing, | Maxwell, | Odorisio, | Yatron, |
| Fineman, | Merry, | Perry, H. H., | |

So the question was determined in the negative and the resolution was not adopted.

INTERROGATION

Mr. AGNEW asked and obtained unanimous consent to interrogate Mr. Foerster.

Mr. Speaker, in the December 1 issue of the Pittsburgh Post Gazette the gentleman received front-page publicity with various quotations on the county court salary raise, House Bill No. 936, a bill introduced by the gentleman from Allegheny, Mr. Mihm, a county court consolidation bill for Allegheny County.

I will read, Mr. Foerster, the manner in which you were quoted in this article and ask you if you were quoted correctly.

Representative Foerster said the principal reason he voted for the pay raise, was that it would help move the court reorganization bill out of the Judiciary Committee, where it has been bottled up since March 19.

He also said if the court consolidation bill does not emerge from committee next week he will introduce a discharge resolution in an effort to pry it loose.

Mr. Speaker, I ask the gentleman if he was quoted correctly?

Mr. FOERSTER. Mr. Speaker, I was not. Some parts of the quotation are correct, but I—

The SPEAKER. What is the relevance of the interrogation with anything properly pending before the House?

Mr. AGNEW. I only have one more question, Mr. Speaker, and then—

The SPEAKER. If the gentleman from Allegheny desires to answer, he is privileged to do so.

Mr. FOERSTER. I would like to finish my answer. Part of the quotation was correct. What I did say was, the reason that I did vote for the pay raise bill for the judges in Allegheny County is that I had been informed that both bills were going to move through this House and that was just step one to the reorganization of the courts. Then I also said that if the Governor signed that bill and if I was misinformed that the other bill would not come out of Committee, I would introduce a discharge resolution to discharge it from Committee. That was what I said to the newspaper.

Mr. AGNEW. Mr. Speaker, the gentleman says that he qualifies his remark on discharge resolution; is that correct?

Mr. FOERSTER. What I just said right now is correct.

Mr. AGNEW. Then the gentleman was misquoted in the article that appeared in the paper?

Mr. FOERSTER. I would say it was misquoted. The entire statement by me was not quoted in the paper. Parts of it were left out just as I explained here.

Mr. AGNEW. Mr. Speaker, I had asked for unanimous consent to interrogate the gentleman and if he had been quoted correctly I wanted to give him the opportunity to co-sponsor this discharge resolution. He apparently was misquoted and does not wish that opportunity, so I offer the resolution in co-sponsorship with Mr. Rigby.

RESOLUTION

DISCHARGING COMMITTEE ON HOUSE BILL No. 936

Messrs. AGNEW and RIGBY offered a resolution which was read by the Clerk as follows:

In the House of Representatives, December 15, 1959.

Resolved, That House Bill No. 936, entitled "An act amending the act of May 5, 1911 (P. L. 198), entitled 'An act to establish a county court for the County of Allegheny and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof,' abolishing the court, terminating the terms of office of judges of the court, and transferring jurisdiction, powers and duties of the court to the court of common pleas," having been referred to the Committee on Judiciary on March 19, 1959, and the committee not having reported the same to the House for a period of over fifteen days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

Mr. AGNEW. House Bill 936 was introduced March 18, and has been in the Judiciary Committee ever since.

House Bill 936 is a legislative proposal, much to be desired in Allegheny County. It would abolish our county court and consolidate it with the court of common pleas. This bill has the journalistic backing of all the papers in Pittsburgh. It has the unqualified support of the Governor of this Commonwealth. It has had lip service from the Majority Members of this House. The Pittsburgh newspapers, in connection with the judges' salary raise bill for Allegheny County, strongly intimated that it was the fault of the Legislature that this bill was not law, and and that the Governor of the Commonwealth was doing everything he could to get it out of committee. But I say the Governor was not sincere in the statements he made to the public press in connection with this and the county court judges' salary raise bill. He said one thing and was extensively quoted as saying that he would not sign the Philadelphia bill unless he got the Allegheny bill, too. Then when the papers put the heat on him, the Governor could not take it. The Governor is pretty sensitive about criticism in the press and he reneged. He took another position; he yielded to the clamor in the public press.

I think the record should show, Mr. Speaker, that the Governor of this Commonwealth, if he wanted this bill for Allegheny County—Pittsburgh papers, please copy—he has enough influence with the Majority Members of this House to get it out of committee, and that he has not done.

I also want the roll call record to show, Mr. Speaker, just who is for this bill and who is not. I am willing to accept the last roll call vote on this with Members, wish-

ing to change their votes, given an opportunity to do so in the interest of saving time.

Mr. McCANN. Mr. Speaker, that would be most satisfactory.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. AGNEW and RIGBY and were as follows:

YEAS—75

| | | | |
|------------|-------------------|----------------|-----------------------|
| Agnew, | Frank, | Kooker, | Steckel, |
| Ashton, | Fulmer, | Korns, | Stewart, |
| Auker, | Gibb, | Kubitsky, | Stimmel, |
| Barton, | Goldstein, J. H., | Lee, A. M., | Strausser, |
| Bell, | Gramlich, | Lee, K. B., | Stroup, |
| Boris, | Guthrie, | Lippincott, | Thompson, |
| Bower, | Haudenshield, | McCandless, | Tompkins, |
| Buchanan, | Mahan, | Mahan, | Varner, |
| Davis, | Henzel, | Markley, | Wall, |
| Dengler, | Holliday, | Miller, B. Z., | Walsh, |
| Dennison, | Horst, | Miller, H. G., | Weidner, |
| Donahue, | Isaacs, | Murray, H. P., | Williams, A. D., Jr., |
| Donaldson, | Johnson, A. W., | Murray, J. J., | Williams, E. S., |
| Edwards, | Johnson, R., | Ogilvie, | Wilt, |
| Eshback, | Kee, | Price, | Wood, |
| Fetterolf, | Keiser, | Pursley, | Worley, |
| Filo, | Kernaghan, | Rigby, | Wynd, |
| Foerster, | Kessler, | Seltzer, | Zimmerman, |
| Fox, | Knecht, | Snare, | |

NAYS—84

| | | | |
|------------|---------------|--------------------|------------|
| Anderson, | Gallagher, | McKeever, | Rovansek, |
| Arlene, | Garlock, | McLaughlin, | Royer, |
| Balthaser, | Gelfand, | Machmer, | Rudisill, |
| Bonner, | Hamilton, | Meholchick, | Sakulsky, |
| Bowman, | Hocker, | Muldowney, | Scarcelll, |
| Breth, | Holt, | Munley, | Schaaf, |
| Burns, | Irvis, | Murphy, A. J., Jr. | Schwartz, |
| Capano, | Jim, | Musto, | Sherman, |
| Capitolo, | Jones, F. R., | Nelson, | Shupnik, |
| Cianfrani, | Kamyk, | O'Donnell, J. A., | Silverman, |
| Cloffi, | Kornick, | O'Neill, | Snider, |
| Comer, | Kovolenko, | Parlante, | Stank, |
| Curwood, | Lamb, | Pashley, | Stone, |
| Devlin, | Leonard, | Perry, P. E., | Sullivan, |
| Dougherty, | Limper, | Petrosky, | Varallo, |
| Eilberg, | Lopresti, | Polaski, | Verona, |
| Farabaugh, | Luigard, | Polen, | Wargo, |
| Floyd, | Lutty, | Prendergast, | Welsh, |
| Flynn, | McCann, | Reibman, | Wheeler, |
| Frascella, | McCormack, | Renwick, | Yetter, |
| Galley, | McDonald, | Riley, | Andrews, |

Speaker

NOT VOTING—51

| | | | |
|-------------|-------------------|------------------|-------------|
| Blair, | George, | Mihm, | Reidenbach, |
| Boies, | Goldstein, M. H., | Mills, | Schuster, |
| Branca, | Goodrich, | Monroe, | Stevens, |
| Brenninger, | Heavey, | Moran, | Stoner, |
| Brown, | Hefner, | Mullen, | Taylor, |
| Clarke, | Jenkins, | Murphy, P. J., | Trusio, |
| Cooper, | Jones, T. H. W., | Murray, P. G., | Ujbai, |
| Crossin, | Jump, | Naugle, | Wescott, |
| Dennis, | Light, | Needham, | Whittaker, |
| Down, | McInroy, | O'Dell, | Willard, |
| Eshleman, | Magee, | O'Donnell, J. P. | Willaredt, |
| Ewing, | Maxwell, | Odoriso, | Yatron, |
| Fineman, | Merry, | Perry, H. H., | |

So the question was determined in the negative and the resolution was not adopted.

The SPEAKER. As the leaders, the old-timers in this House know, for about 15 years I tried to get the Republican leadership to agree to discharge a Committee with 85 votes. Well, they never would do it. I hold them at one time or other they would change their attitude, they would change their policy and would be glad if the Rules said discharge a Committee with 85 votes.

Another thing—I want to boast a little. I am the only living Member of the Pennsylvania General Assembly,

present or past, who ever offered a resolution to discharge a Committee, and the Committee was discharged.

Mr. HELM. Mr. Speaker, I would like to ask a question in response to the statement the Speaker just made. I would like to ask the Speaker what the Rule for discharging Committees was set at in 1955?

The SPEAKER. Following the example of the majority party then or previous, against my advice, they fixed it at 106. They said they had been kicked around by the Republicans for 20 years and they were going to kick back.

Mr. HELM. I just wanted to call to the attention of the House that at a time when you had the power to change it to 85 you did not do it.

The SPEAKER. I might say too that we know we cast a look forward and knew what was coming, what was the use of making things easy for you after you kicked us around for 20 years.

Mr. LOPRESTI IN THE CHAIR

INTERROGATION

Mr. FOERSTER asked and obtained unanimous consent to interrogate Mr. Agnew.

Mr. FOERSTER. Mr. Speaker, during this series of discharge resolutions, Mr. Agnew offered one for the consolidation of the city-county government of Philadelphia. I would like to know if this is to be taken as a sign that Mr. Agnew is for the metropolitan plan for Allegheny County?

Mr. AGNEW. I take it that was a sincere question and I will attempt to give a sincere answer.

I would point out to the gentleman, Mr. Speaker, that the county of Philadelphia consists of one municipality, the city of Philadelphia. The county of Allegheny consists of 129 municipalities, one second-class city, three third-class cities, and 125 boroughs and townships. What is good for Philadelphia is not necessarily good for Pittsburgh or Allegheny county, and what is good for Allegheny County and/or Pittsburgh is not necessarily good for Philadelphia.

I introduced the discharge resolution in respect to the city-county consolidation in Philadelphia because everybody, but everybody, in Philadelphia agreed that it was a good thing. I introduced the discharge resolution in respect to Allegheny County because everybody who had taken a public stand on it in Allegheny County, including the Governor of the Commonwealth, all the papers in Pittsburgh, were very much in favor of it.

Does that answer the gentleman's question?

Mr. FOERSTER. No. How does the gentleman stand on the metropolitan plan for Allegheny County?

Mr. AGNEW. I am unalterably opposed to the metropolitan plan as I think the gentleman would describe it. There are some features of cooperation between municipalities that I very strongly favor, and if the gentleman asks me specific questions, I will give him specific answers.

Mr. FOERSTER. I do not want to drag this out. Mr. Speaker.

Mr. AGNEW. I do not want to, either.

PERMISSION TO ADDRESS HOUSE

Mr. BELL asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman from Allegheny, Mr.

Foerster, by implication, tried to infer that a vote on this discharge resolution of the city-county consolidation bill was a vote in favor of the metropolitan plan.

I want to make it very clear that the sister plan of the metropolitan plan, which is the 1955-56 regional government plan which was tried to be pushed down the throats of southeastern Pennsylvania in this House, has no more connection with the city-county consolidation bill than the metropolitan plan of Pittsburgh has with it.

I want to make that very clear, and I am sure my associates from my county and other counties in southeastern Pennsylvania want that in the record.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1139, entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Fox, | McCann, | Rudisill, |
| Anderson, | Frank, | McCormack, | Sakulsky, |
| Arlene, | Frascella, | McDonald, | Scarcell, |
| Ashton, | Galley, | McInroy, | Schaaf, |
| Auker, | Gallagher, | McKeever, | Schuster, |
| Balthaser, | Garlock, | McLaughlin, | Schwartz, |
| Barton, | Gelfand, | Machmer, | Seltzer, |
| Bell, | Gibb, | Mahan, | Sherman, |
| Boles, | Goldstein, J. H., | Markley, | Shupnik, |
| Bonner, | Gramlich, | Maxwell, | Silverman, |
| Boris, | Guthrie, | Meholchick, | Snare, |
| Bower, | Hamilton, | Mihm, | Snider, |
| Bowman, | Haudenschild, | Miller, B. Z., | Stank, |
| Branca, | Heavey, | Miller, H. G., | Steckel, |
| Brenninger, | Helm, | Mills, | Stewart, |
| Breth, | Henzel, | Muldowney, | Stimmel, |
| Brown, | Holliday, | Mullen, | Stone, |
| Buchanan, | Holt, | Munley, | Stoner, |
| Burns, | Horst, | Murphy, A. J., Jr. | Strausser, |
| Capano, | Irvis, | Murphy, P. J., | Stroup, |
| Capitolo, | Isaacs, | Murray, H. P., | Sullivan, |
| Cianfrani, | Jim, | Murray, J. J., | Taylor, |
| Cioffi, | Johnson, R., | Musto, | Thompson, |
| Comer, | Jones, F. R., | Naugle, | Tompkins, |
| Curwood, | Kamyk, | Needham, | Trusio, |
| Davis, | Kee, | Nelson, | Varallo, |
| Dengler, | Kernaghan, | O'Donnell, J. A., | Varnier, |
| Dennis, | Kessler, | O'Donnell, J. P., | Verona, |
| Dennison, | Knecht, | Odorisio, | Walsh, |
| Devlin, | Kooker, | O'Neil, | Wargo, |
| Donahue, | Kornick, | Parlante, | Weidner, |
| Donaldson, | Korna, | Pashley, | Weish, |
| Dougherty, | Kovolenko, | Perry, H. H., | Wescott, |
| Edwards, | Kubitsky, | Perry, P. E., | Wheeler, |
| Ellberg, | Lamb, | Petrosky, | Whittaker, |
| Eshback, | Lee, A. M., | Polaski, | Williams, A. D., Jr., |
| Eshleman, | Lee, K. B., | Polen, | Williams, E. S., |
| Ewing, | Leonard, | Prendergast, | Wilt, |
| Farabaugh, | Light, | Price, | Wood, |
| Fetterolf, | Limper, | Reibman, | Worley, |
| Filo, | Lippincott, | Renwick, | Wynd, |
| Fineman, | Lopresti, | Rigby, | Yatron, |
| Floyd, | Luigard, | Riley, | Yetter, |
| Flynn, | Lutty, | Rovansek, | Zimmerman, |
| Foerster, | McCandless, | Royer, | Andrews, |

NAYS—8

| | | |
|-----------|-----------------|----------|
| Fulmer, | Hocker, | Kelser, |
| Goodrich, | Johnson, A. W., | Ogilvie, |

| |
|----------|
| Pursley, |
| Wall, |

Speaker

NOT VOTING—22

Blair,
Clarke
Cooper,
Crossin,
Down,
George,

Goldstein, M. H.,
Heffner,
Jenkins,
Jones, T. H. W.,
Jump,
Mages,
Merry,
Monroe,
Moran,
Murray, P. G.,
O'Dell,

Reidenbach,
Stevens,
Ujobal,
Willard,
Willaredt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1106.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" changing the limit on retail licenses

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the bill, page 3, by inserting after line 7 the following:

Section 2 The provisions of this amendment shall not apply to applications for licenses for the retail sale of liquor or the retail sale of malt or brewed beverages filed and pending prior to the effective date of this amendment

Section 3 This act shall take effect February 2 1960

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Agnew,
Anderson,
Arlene,
Auker,
Balthaser,
Barton,
Bell,

Galley,
Gallagher,
Garlock,
Gelfand,
Gibb,
Goldstein, J. H.,
Goodrich,
McCann,
McCormack,
McDonald,
McInroy,
McKeever,
McLaughlin,
Machmer,

Royer,
Rudisill,
Sakulsky,
Scarcell,
Schuster,
Schwartz,
Seltzer,

| | | | |
|--|---|---|--|
| Boies, Bonner, Boris, Bower, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Clanfrani, Cioffi, Comer, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, Frascella, Fulmer, | Gramlich, Guthrie, Hamilton, Haudenschild, Heavey, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, | Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanseck, | Sherman, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|---|---|--|

NAYS—6

| | | | |
|--------------------|---------------------|----------|-----------|
| Ashton, Bowman, | Curwood, Schaaf, | Shupnik, | Tompkins, |
|--------------------|---------------------|----------|-----------|

NOT VOTING—22

| | | | |
|--|--|--|--|
| Blair, Clarke, Cooper, Crossin, Down, George, | Goldstein, M. H., Heffner, Jenkins, Jones, T. H. W., Jump, Magee, | Merry, Monroe, Moran, Murray, P. G., O'Dell, | Reidenbach, Stevens, Ujohal, Willard, Willaredt, |
|--|--|--|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON CONCURRENCE IN SENATE
AMENDMENTS

BILL PASSED OVER

There being no objection,

House Bill No. 506, Printer's No. 2080

was passed over at the request of the Speaker pro tempore.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 652.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance

exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" prohibiting the use by any insurance company of a name too closely resembling that of another insurance company

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 13, by striking out after the word "date" the following: "In case of conflict of names between any company or association as authorized and any foreign or alien insurance company or association hereafter seeking authorization to do business in this Commonwealth the Commissioner may permit or require the company or association seeking such authorization to use in this Commonwealth such supplementation or modification of its name as may be reasonably necessary to avoid such conflict

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

| | | | |
|---|---|--|---|
| Agnew, Anderson, Arlene, Ashton, Auker, Balthaser, Barton, Bell, Boies, Bonner, Boris, Bower, Bowman, Branca, Brenninger, Breth, Brown, Buchanan, Burns, Capano, Capitolo, Clanfrani, Cioffi, Comer, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Donahue, Donaldson, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Fox, Frank, | Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, Gibb, Goldstein, J. H., Goodrich, Gramlich, Guthrie, Hamilton, Haudenschild, Heavey, Helm, Henzel, Hocker, Holliday, Holt, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kooker, Kornick, Korns, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, | McCandless, McCann, McCormack, McDonald, McInroy, McKeever, McLaughlin, Machmer, Mahan, Markley, Maxwell, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neil, Parlante, Pashley, Perry, P. E., Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanseck, | Royer, Rudisill, Sakulsky, Scarcelli, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snare, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Strausser, Stroup, Sullivan, Taylor, Thompson, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Wilt, Wood, Worley, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|---|---|--|---|

NAYS—0

NOT VOTING—22

| | | | |
|----------|-------------------|----------------|-------------|
| Blair, | Goldstein, M. H., | Merry, | Reldenbach, |
| Clarke, | Heffner, | Monroe, | Stevens, |
| Cooper, | Jenkins, | Moran, | Ujobal, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willard, |
| Down, | Jump, | O'Dell, | Willardt, |
| George, | Magee, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL PASSED OVER

There being no objection,

House Bill No. 1927, Printer's No. 2086

was passed over at the request of the SPEAKER pro tempore.

BILL ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 2295, Printer's No. 2004

was passed over at the request of the SPEAKER pro tempore.

REPORT OF COMMITTEE ON FISHERIES

Mr. CURWOOD presented the report of the Committee on Fisheries pursuant to House Resolution No. 95.

The report was read as follows:

Submitted to the House on December 15, 1959.

Members of the Fisheries Committee:

William B. Curwood, Chairman
 Van D. Yetter, Jr., Vice Chairman
 Peter G. Schaaf, Secretary
 Herbert Arlene
 Harris G. Breth
 Frank P. Crossin
 Thomas J. Foerster
 Samuel W. Frank
 Charles J. Jim
 James A. O'Donnell
 Howard H. Perry
 Hampton Riley
 Pat C. Trusio
 Ruth S. Donahue
 William Edwards
 Harry S. Gramlich
 R. P. Stimmel
 Clarence G. Stoner
 James E. Willard
 Lester H. Zimmerman

Pursuant to Resolution No. 95, adopted by the House on July 28, 1959, the Committee on Fisheries has undertaken to inquire into the reasons why fish license sales have shown a marked decline in this Commonwealth in recent years.

In accordance with powers conferred by the adoption of the Resolution, the Committee has held hearings. These include testimony taken in Harrisburg on August 18, 1959, in State College on August 27, 1959, in Erie on August 28, 1959, and in Harrisburg on September 18, 1959, November 9, 1959 and November 20, 1959.

TESTIMONY AND DISCUSSION

It will serve no useful purpose to detail the testimony taken of more than fifty witnesses. Adding to this volume have been numerous letters and cards received by members of the Committee since the intent of the House was publicized late in July. A review of the testimony shows quite clearly that

there is no pat answer to the basic question of license decline. There are instead a number of factors of varying degrees of importance; but since the sale of licenses is the only means of financing the activities of the Fish Commission, all of these factors must be considered.

The Commission's Executive Director testified on several occasions as did various members of the Commission. The position of the Commission is clear: (1) Pennsylvania is in no worse condition than are its sister states, all of whom have allegedly experienced declines and some of which are more extreme than that occurring in this Commonwealth; and (2) stream pollution still is a major enemy of fishermen in Pennsylvania.

The first point is valid only if the Commission is tireless in its efforts to remove sources of irritation. It has tried, but from the testimony taken and communications received, there are still areas of dissatisfaction.

As to the problem of pollution, the Committee found that the Sanitary Water Board was giving proper attention to existing statutes and was moving legally against violators. The prosecution of violators is in the hands of a seemingly very capable and conscientious Assistant Attorney General. But pollution is so great a problem that this man obviously needs help by way of an increased staff if prosecutions and corrective measures are going to be accomplished quickly and with results favorable to the Commonwealth.

Other factors unquestionably contributing to the overall decline in license sales include cost of the license itself, accomplished at a time when a recession was starting to grip this Commonwealth, slowly decreasing accessibility to streams and rivers caused by the increasing reluctance of agricultural landowners to permit the general public on their properties, the phenomenal increase in pleasure boating which in turn upsets the tranquility of once placid lakes and streams, confusion of the fishing public by conflicting regulations and enforcement by the Fish Commission, the literal starvation of streams, particularly the Susquehanna, by huge dams which are nothing more than insurmountable barriers to aquatic life, and lastly and quite simply, no fish.

The problems of the Susquehanna can be solved and the unfortunate events of many years ago can be remedied. Fishways along dams situated at the lower reaches of the River are the obvious cure. However, this will require the active support and cooperation of all parties, particularly the Commission and the utilities involved. There is a great moral obligation to be discharged in constructing these fishways.

It would be well to note a serious problem existing in one of the more remote parts of the State. A tragic economic decline in the commercial fishing industry in Erie has occurred. Although Pennsylvania has only forty-odd miles of shore line on Lake Erie, this area is also the center of the only commercial fishing industry in Pennsylvania. It deserves maximum attention. To this end, the Committee refers to House Resolution No. 93, adopted September 14, 1959, whereby the Joint State Government Commission is to make inquiry into this specific problem. It is hoped that this problem will be considered.

Fishermen are happiest when they catch fish. The majority of fisherman, license purchasers, are not artful and expensively equipped sportsmen. They are the hook and line men—the young boys—the old retired men—the fellows that work at the mills and factories and like to get out where it's quiet and the air is fresh. The Committee cannot argue against scientific fish management. But the prime consideration of the Fish Commission, while pursuing such activities, should be what is best for the little fellow. There is evidence that the little fellow gets short shift from the Commission, while the organized sportsmen exercise great influence. The "little fellow" is the most important of licensees. For it is

he who is most easily dissuaded by circumstances from purchasing next year's license.

In enforcing the statutes pertaining to fish in Pennsylvania, the Commission acts primarily through its wardens. Complaints have been received of rudeness and inconsiderate behavior on the part of these wardens. An initial formal training program and continuing on the job education of the wardens is desirable.

FINDINGS OF FACT

1. Fish license sales have gradually declined for several years. The following is a tabulation:

1954—729,525

1955—724,609

1956—741,468

1957—687,732

1958—647,974

2. Stream pollution is the largest of many factors contributing to this decline.

3. Administration and enforcement of existing anti-pollution statutes are hampered by an inadequate, albeit an entirely competent legal staff.

4. The scientific fish management activities of the Pennsylvania Fish Commission, including its programs of stream stocking and acquisitions of access sites has created an atmosphere of suspicion and frustration on the part of some segments of the fishing public.

5. A formal training program of fish wardens should be initiated.

6. So as to rehabilitate the Susquehanna, fishways around the dams of the lower River should be given serious consideration and the time for such consideration is now.

7. Pennsylvania's commercial fishing industry needs assistance in its present plight.

RECOMMENDATIONS

1. Executive consideration should be given to increasing the administrative means of eradicating or at least substantially reducing harmful-water pollution by vigilant enforcement of existing statutes.

2. The Pennsylvania Fish Commission should continually reappraise its policies in the light of the needs and complaints of the marginal license purchaser, the so-called little fellow.

3. Fish warden training should be instituted on a formal basis.

4. With the cooperation of the Federal government and private enterprise, the Commonwealth should investigate the feasibility of construction of fishways on the lower Susquehanna, thereby increasing the fish population of this river system.

5. The Joint State Government Commission should pursue an inquiry of the commercial fishing industry pursuant to Resolution No. 93.

6. The Committee believes that the tremendous decline in the stocking of bass and other desirable fish was an important factor in the unusual and rapid drop in fishing license sales.

7. The deterioration in good public relations between Fish Commission personnel and both the organized sportsmen and the average fisherman, was another major factor in the fishing license decline.

8. Since the Committee was obviously limited in its consideration of the multitude of factors contributing to or detracting from better fishing in Pennsylvania, there exists a continuing need for further investigation of these problems.

Respectfully submitted,
Committee on Fisheries
William B. Curwood, Chairman

Mr. McCANN. Tomorrow the Democratic Members of the House will take a 30 minute caucus from the Floor to cover the concurrences which will be a total of 16 on the calendar, and the bills on third reading and final passage, so that they may all be moved tomorrow. In that

number will be two highly controversial bills, the harness racing and the Sunday sale of beer and liquor in the hotels.

RESOLUTION

CONDOLENCE

Messrs. JIM and EWING asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, December 15, 1959.

David Nelson Denman, a former member of the House of Representatives, passed away on Thanksgiving Day, November 26, 1959, at the age of 64.

Mr. Denman was elected to represent the First District of Westmoreland County in 1938 and was re-elected in 1942.

Mr. Denman was married to the former Mary Catherine Thompson, a member of the House of Representatives from 1931 to 1933, and was the father of two sons, David N. Denman and Richard E. Denman. An attorney at law by profession, Mr. Denman also taught in the public schools at Greensburg and Latrobe from 1919 to 1926. He served with distinction in the United States Army Air Corps in both the first and second World War, and was a leading member of many fraternal, professional and civic organizations.

The death of David Nelson Denman was a great loss to our Commonwealth. His contributions to the advancement and well-being of his fellow citizens, and our pleasant association with him will long be remembered; therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania expresses its condolence to the family of David Nelson Denman on his death; and, be it further

Resolved, That a copy of this resolution be transmitted to his widow, Mary T. Denman, Orchid Lane, Cedarhurst Manor, Pittsburgh 16, Pennsylvania.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1904.

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) defining the word "taxes" to include penalties and interest.

HOUSE BILL No. 2317.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell 59.514 acres more or less of land situate in West Chillisquaque Township Northumberland County.

HOUSE BILL No. 2327.

An Act amending the act of May 21, 1943 (P. L. 328) entitled "An act authorizing the Secretary of Highways * * * to lay out * * * and maintain flight strips and roads to the sites of war activities * * * and making an appropriation" further regulating payment of property damages by the Department of Highways.

HOUSE BILL No. 2430.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) redefining documents to exclude certain repossessions following defaults in purchase obligations.

HOUSE BILL No. 2440.

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" providing that every juror shall receive mileage.

HOUSE BILL No. 2441.

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" providing that all witnesses be paid mileage.

HOUSE BILL No. 2457.

An Act amending the "Pennsylvania Election Code" ap-

proved June 3, 1937 (P. L. 1333) further regulating the residence qualifications of electors.

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. PRICE. Mr. Speaker, I move that this House do now adjourn until Wednesday, December 16, 1959 at 1:00 p.m. EST.

The motion was agreed to, and (at 7:44 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., WEDNESDAY, DECEMBER 16, 1959.

No. 124.

SENATE

WEDNESDAY, DECEMBER 16, 1959.

The Senate met at 1:00 o'clock p. m.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. NORMAN E. DETTRA, Evangelical United Brethren Church clergyman, Annville, offered the following prayer:

Let us pray.

Our Father, we are grateful for the great builders of the past who left us so rich a heritage of democracy. As we think of the sacrifices, labor and devotion required of them, we feel unworthy, for we have not been as generous with our time and our abilities.

Grant us, O Holy One, new insights into the ideals for which true democracy stands. Forgive us for our lack of devotion and for our contentment with "ease in Zion," while so many people lack and look to us for leadership in the economic, moral and cultural aspects of our corporate life. Grant, O God, that we may express strength and stability and point the people to Thee.

Help us to be worthy of the fellowship and inspiration which comes from gathering in this legislative hall. May Thy Spirit guide us as we strive to serve our fellow men and Thee.

Hear our prayer, O God. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. PECHAN and Mr. FLEMING, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **HB 652**.

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate, **SB 725**, with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO **SB 1106**, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to **SB 1106**.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 1139**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be laid on the table.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 725, 1106, HB 652, 1904, 2317, 2327, 2440, 2441 and 2457**.

REPORT FROM COMMITTEE ON EXECUTIVE

Mr. FLEMING, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel B. Swaney, Uniontown, Fayette County, for appointment as a member of the Pennsylvania Liquor Control Board from December 2, 1957, until November 29, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

April 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leopold Salkind, Philadelphia, for appointment as a member of the State Board of Osteopathic Examiners, from September 23, 1957, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE WORKMEN'S COMPENSATION
BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

Hugo J. Parente, 401 McKee Avenue, Monessen, Westmoreland County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
ALLENTOWN STATE HOSPITAL

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Albert P. DelGrosso, 1159 East Fourth Street, Bethlehem, Northampton County, for appointment as a member of the Board of Trustees of Allentown State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Wilfred A. S. Fritchman, Allentown, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
SELINSGROVE STATE SCHOOL

December 7, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Olan Dimm, R. D., Mifflintown, Juniata County, for reappointment as a member of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
PHILADELPHIA STATE HOSPITAL

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon C. Nurock, 324 Radcliff Street, Bristol, Bucks County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Louis C. Spring, Bristol, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BRADFORD COUNTY
BOARD OF ASSISTANCE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jane Frawley (Democrat), 428 State Street, Towanda, Bradford County, for appointment as a member of the Bradford County Board of Assistance until December 31, 1962, and until her successor is duly appointed and qualified, vice Rev. Peter J. Alisauskas, Towanda, resigned, to compute from January 1, 1960.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frieda K. Foose, Mounted Route, Enola, Cumberland County, for reappointment as Justice of the Peace in and for the Township of Silver Spring, Cumberland County, to serve until the first Monday of January 1962, to compute from January 4, 1960.

DAVID L. LAWRENCE.

COMMITTEE OF CONFERENCE ON HB 2361
DISCHARGED

Mr. WADE. Mr. President, I wish to report to the Senate that the Conference Committee appointed on House Bill No. 2361 is unable to reach an agreement.

Therefore, I move that this Conference Committee be discharged.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

COMMITTEE OF CONFERENCE ON HB 2431
DISCHARGED

Mr. WADE. Mr. President, I wish to report to the Senate that the Conference Committee appointed on House Bill No. 2431 is unable to reach an agreement.

Therefore, I move that this Conference Committee be discharged.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURRENT RESOLUTION

RETURNING HB 2430 TO THE SENATE

Mr. RUTH, on behalf of Mr. WEINER, offered the following resolution which was read, considered and adopted:

In the Senate, December 16, 1959.

Resolved (the House of Representatives concurring), That House Bill No. 1430, Printer's No. 1871, entitled "An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended 'The Realty Transfer Tax Act' redefining documents to exclude certain repossessions following defaults in purchase obligations" be returned to the Senate for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM
FURTHER CONSIDERATION OF HB 1376

Mr. MULLIN offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill 1376, Printer's No. 632, entitled "An Act amending the act of May 29, 1956 (P. L. 1803) entitled 'An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth, giving additional powers to the Department of Welfare and making an appropriation' authorizing the acceptance and return of certain juveniles as campers and providing for reimbursement by the county for expenses," having been referred to the Committee on Rules on September 30, 1959, and the committee not having reported the same to the Senate for a period

of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. MULLIN. Mr. President, House Bill No. 1376 passed the House of Representatives on September 29, and on September 30 it was referred to the Senate Committee on Rules.

Mr. President, this bill amends the Act of May 29, 1956, which established forestry conservation camps for rehabilitation and training of male youths, by expanding the class of youths, who may be transferred to camps, to include those fifteen to eighteen year olds who are committed to any institution, if recommended by the institution and the committing juvenile court. It further provides for their recommitment to institutions from the camps and also for reimbursement by the counties to the Commonwealth for fifty per cent of the per capita per diem operating expenses.

Mr. BERGER. Mr. President, I oppose the adoption of this discharge resolution.

The bill in question is one which has been under discussion no less than three or four different times in the Rules Committee. The committee differed with the philosophy of the Department of Welfare. The department wanted the bill and I talked with them about it on more than one occasion. In many respects, the provisions of the bill I regard as salutary, but due to the rather doubtful situation which has arisen in connection with these forestry camps, the committee did not, at this time, feel it was necessary to extend them or to provide greater ease in admitting the campers.

Consequently, Mr. President, I ask my colleagues to vote against this resolution.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. MULLIN and Mr. HAYS and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silver, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

DISCHARGE RESOLUTION

Mr. WEINER. Mr. President, at this time, I would like to offer a number of resolutions, most of which deal with similar subjects.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON CONSTITUTIONAL CHANGES AND FEDERAL RELATIONS FROM FURTHER CONSIDERATION OF HB 625

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 625, entitled "A Joint Resolution proposing an amendment to Art. VIII, Sec. 1 of the Constitution of the Commonwealth of Pennsylvania, permitting citizens eighteen years of age or over to vote," having been referred to the Committee on Constitutional Changes and Federal Relations, June 29, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, this resolution and the other resolutions which I will offer to the Chair are for the purpose of discharging these committees and asking that these matters be brought to the floor.

The matters with which these resolutions deal are those having to do with problems which face the workingman, the wage earner. They also deal with problems which face the people who vote in our Commonwealth; for example, the young man who is eighteen years of age. I believe, during the last two gubernatorial elections and also the Presidential elections, it has been stated in both Party Platforms that the young man, eighteen years of age, shall have the right to vote.

These are the bills dealing with the laboring man and his problem of how he shall be paid, the problems with the working conditions under which he must work and also the problems with special clothing or special facilities he must have and which he must provide for himself.

I think we are all aware of the economic conditions, as they exist in this country. We find that the cost of living continues to rise and rise, and that the wages which the workingman earns cannot keep pace with this rising cost of living. It might well be that this problem of inflation is moved by wages or it might well be that the prices charged by the employer for his product are rising at such a rate that the wages have to keep running after them to catch them. It is now the case of which comes first, the chicken or the egg. There have been instances where the workers received a few pennies extra, or fringe benefits, and the cost of the product goes up, proportionately, much higher. It may go up five, six or seven times that of the increase granted the workingman.

Some of this legislation which is being presented here has to do with the people who work for the railroads, as well. We feel that this legislation would provide certain safety measures and loss of life would be reduced.

Mr. President, I am sure that all of these measures, which deal with the humane, social and welfare aspects of our lives, dealing with the citizens of this Commonwealth, are things which we cannot lightly overlook. I think it is incumbent upon the chairmen who have these matters in their committees, to take some action on their behalf. Not to do so, I think is to overlook a problem and bury your heads in the sand and say that it does not exist and, therefore, you will not act on it.

Therefore, Mr. President, I ask that we have a roll call vote on this measure. I also ask that the vote taken be recorded for all of the resolutions.

Mr. BERGER. Mr. President, I desire to interrogate the Minority Leader, the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, were the remarks made by the gentleman designed to cover all of the resolutions which will be presented here for discharge?

Mr. WEINER. That is correct, Mr. President.

Mr. BERGER. Mr. President, does what the gentleman just said apply to all of the resolutions?

Mr. WEINER. It would cover the entire field, Mr. President. I did not go specifically into them, but if the gentleman would like me to do so, I shall be very happy to.

Mr. BERGER. I am sure the gentleman would, Mr. President. I thank the gentleman.

I just want to say, Mr. President, that once again we have a series of discharge resolutions, requesting the Senate to discharge, from further consideration of certain bills, the committees which have had them in their charge.

Mr. President, of course, this is designed to imply that people who offer these resolutions and who vote to discharge the committees voted for these bills, on the floor of the Senate, and were all in favor of them. Our system here would break down if we did not have the committee system in the consideration of bills. I seem to recall that some time ago, there was a resolution offered suggesting that the vote in committee, upon bills, be a matter of public record. Sometimes, I wish that that could be done on certain bills, because it would be, I am sure, a very, very revealing thing to a great many people of Pennsylvania if we were to bring out of committee the information and discussion which goes on in committee regarding certain bills. I, personally, think it would break down the entire system. However, on occasions like this, Mr. President, I feel that now and then, on some of these bills, it would be a very salutary thing.

Therefore, Mr. President, I am asking my colleagues to vote "no" on these discharge resolutions because the committee chairmen have considered the bills and have had them before their committees for consideration. The committee action evidently has been adverse.

Mr. WADE. Mr. President, regarding these discharge resolutions, I was keenly disappointed in the statements made by the Minority Leader as he introduced his resolution to the Senate. He opened his statement by saying that these resolutions to discharge certain committees from further considering certain legislation dealt with bills which affected the workingman and the man who voted. That is the portion of his statement in which I was disappointed.

I am certainly surprised that the Minority Leader would consider legislation only from the angle of politics and only from the angle of the votes which might or might not accrue to us. That is the point about which I feel very keenly. I have always held this gentleman in the highest regard. I do not believe that he means that certain committees should be discharged from further consideration of legislation, only because of politics.

It would seem, however, during the last twenty-four or thirty hours, that many of these discharge resolutions presented were for that purpose, from the statement he made just a few moments ago.

Again, Mr. President, I just want to say that I do not believe that we are elected to public office simply to play politics. I believe we are elected to office to do the things which we believe are right for the almost 11,000,000 people who reside in this great Commonwealth.

Mr. WEINER. Mr. President, I am sorry that my mentioning politics in this great Body offends the great Senator from Cumberland County. I hope he will forgive me. However, apparently, the message which I have been trying to deliver here, for the entire session, has finally reached him and he is now beginning to talk like a statesman.

What I was trying to mention was—and I am sorry if I, in any way, was ambiguous—that the number of resolutions which I will present here deal not only with the people who work for a living, the workingman and the laboring man, but they also will deal with problems regarding elections. I think that problems dealing with elections must, of necessity, be political in nature. If the gentleman can solve this problem in a vacuum or in some way in which it would not touch on politics, I would be very happy to discuss it with him.

If he wants to take a case in point, I think he will find that the great Chairman of the Pennsylvania Republican Party, who was just mentioned yesterday, said that if the Democrats win the National Election in 1960, the Nation would be gerrymandered in such a fashion that the Republican Party could never again win or elect people to Congress. It might be that he was making this statement in front of the Finance Committee, in the hope of raising some money and he may have been political in that sense. However, I am sure that none of us believe that to be the case, although some of us might be interested in seeing whether this might come to pass. We will be very happy to put it to a test and would appreciate your help in establishing whether the State Chairman is correct or incorrect in his statement.

If I have offended the gentleman from Cumberland in any way about being political in this Chamber, I am sorry. I certainly hope that his actions and his vote will indicate that he no longer is taking any political action, but merely acting on behalf of all the people in this great Commonwealth.

Mr. BERGER. Mr. President, I assure the gentleman who just spoke that we are certain that there is no political implication whatever in the presentation of these resolutions.

I would suggest that we have a roll call.

Mr. SEYLER. Mr. President, it seems to me that my friend, the gentleman from Cumberland, has a peculiar notion of the role of an elected representative of the people. When Senator Weiner said that he advanced these resolutions for the benefit of the people who voted, the Senator took exception to that.

When each of the political parties conduct a campaign, they make certain promises to the people who voted on their platforms. The Democratic Party has always been scrupulous to use every means at its command to carry out the promises made to the people at the time when

they voted. The only way we can do this, since we do not have control of the committees and cannot report bills out, is to attempt to appeal to the Senators directly and have them vote directly on this matter. More than this, no Party can do.

Certainly, the people who vote are the people to whom the promises are made. If Senator Wade does not feel that he has any obligation to the people who voted, then he has the idea that a Senator, once having been elected, apparently, is entirely insulated from the wishes of the voters. It seems to me that this is probably one of the frankest expressions of the Republican point of view that ever accidentally got into the record. It surely is not the view of the Democratic Party, because the Democratic Party believes that it owes it to the voters to carry out the promises made during the election campaigns.

Mr. BERGER. Mr. President, I just have one more word and then I will remain silent on this subject.

The implication seems to be that the gentlemen on the other side are the only ones who would like to vote for bills on the floor of the Senate, but cannot do so because they remain in committee. I want to assure the gentleman, most emphatically, that that is not the case. There are a number of bills in committee which probably embody more excellent legislation than we have passed this Session. However, I introduced bills at the beginning of the Session and I cannot get them out of the various committees to which they were referred, and those committees have Republican chairmen.

Mr. LANE. Mr. President, I believe we have arrived at the stage in this Session where we point with pride and view with alarm. As a matter of fact, I was greatly amused with the statements made by the distinguished gentleman from Cumberland, Senator Wade. In my opinion, his political footwork is almost unexcelled here in Pennsylvania.

Senator Wade reminds me of the gentleman who yelled bloody murder. As a matter of fact, it was the pot calling the kettle black. As far as politics is concerned, I believe that we, on the Democratic side, have received a liberal education from the Republicans in regard to political maneuvering. When the gentleman gets on the floor and accuses the Democrats of playing politics, I say it comes in very poor grace.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON ELECTIONS FROM FURTHER CONSIDERATION OF HB 1978

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 1978, entitled "An Act amending 'The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships' approved April 29, 1937 (P. L. 487), changing the method of personal registration and change of enrollment of political party by authorizing electors who are unable to go to their polling places because of illness or physical disability and spouses and dependents of persons in military services, * * * to register and to change enrollment of political party by mail" having been referred to the Committee on Elections on June 30, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON EDUCATION FROM FURTHER CONSIDERATION OF HB 1509

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 1509, Printer's No. 590, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' providing additional safeguards against fire hazards," having been referred to the Committee on Education on June 8, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND
INDUSTRY FROM FURTHER CONSIDERA-
TION OF **HB 628**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 628, Printer's No. 260, entitled "An act regulating the time of payment of wages and earnings of railroad employes," having been referred to the Committee on Labor and Industry on April 20, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND
INDUSTRY FROM FURTHER CONSID-
ERATION OF **HB 1119**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 1119, Printer's No. 292, entitled "An Act requiring attendants at certain railroad

grade crossings and imposing a duty on the Public Utility Commission," having been referred to the Committee on Labor and Industry on June 8, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON CORPORATIONS
FROM FURTHER CONSIDERATION OF **HB 438**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 438, Printer's No. 255, entitled "An Act compelling common carriers by railroad to man locomotives, trains and other self-propelled engines or machines with competent employes; providing for the minimum number and qualifications of men so employed and providing penalties," having been referred to the Committee on Corporations on June 8, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND
INDUSTRY FROM FURTHER CONSIDERATION
OF HB 402

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 402, Printer's No. 253, entitled "An act to repeal sections 662, 663 and 730 of the act of June 24, 1939 (P. L. 872), entitled 'An act to consolidate, amend and revise the penal laws of the Commonwealth,' relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries or death resulting from their actions," having been referred to the Committee on Labor and Industry, April 20, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|---------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Kopriver, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON CORPORATIONS
FROM FURTHER CONSIDERATION OF HB 406

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 406, Printer's No. 254, entitled "An act relating to employers and employes of railroads and providing for the regulation of health and safety conditions in places of railroad employment," having been referred to the Committee on Corporations on April 20, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|-----------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |

| | | | |
|----------|------------|---------|----------|
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|---------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Kopriver, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON ELECTIONS
FROM FURTHER CONSIDERATION OF SB 944

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That Senate Bill No. 944, entitled an Act amending the act of June 3, 1937 (P. L. 1313) entitled "Pennsylvania Election Code," removing prohibition against unincorporated associations making political contributions, having been referred to the Committee on Elections on July 14, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|---------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Kopriver, Jr. | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM
FURTHER CONSIDERATION OF HB 802

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 802, entitled "An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages" having been referred to the Committee on Rules, August 31, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF HB 628

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 628, entitled "An Act regulating the time of payment of wages and earnings of railroad employes" having been referred to the Committee on Labor and Industry on April 20, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM FURTHER CONSIDERATION OF HB 2072

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 2072, entitled "An Act

amending the act of May 18, 1937 (P. L. 654), entitled, as amended, 'An act to provide for the safety and to protect the health and morals of persons while employed * * * requiring employers to furnish personal protective devices free of charge' having been referred to the Committee on Rules on August 31, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM FURTHER CONSIDERATION OF HB 790

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 790, entitled "An Act requiring employers to pay for medical examination fee where such examination is a condition for employment" having been referred to the Committee on Rules on August 31, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. RUTH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM
FURTHER CONSIDERATION OF **HB 2240**

Messrs. MAHADY and SILVERT offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 2240, Printer's No. 1597, entitled "An act amending the act of May 10, 1939 (P. L. 111), entitled 'An act relating to, and providing for, the promotion and development of business, industry and commerce in the Commonwealth; conferring powers and duties upon the Department of Commerce and other agencies of the Commonwealth; abolishing the Pennsylvania State Publicity Commission, terminating the terms of its members and conferring its powers upon, and transferring and appropriating the balance of its current appropriation to, the Department of Commerce; and repealing certain laws,' providing for the establishment and maintenance by the Department of Commerce of a business technical information program," having been referred to the Committee on Rules on September 14, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. MAHADY. Mr. President, I would like to say a few words on this resolution. Before I do so, I would say the main intent and purpose of this resolution is to draw to the attention of the Members of this Body that there is a bill, House Bill No. 2240, in committee, which abolishes the Pennsylvania State Publicity Commission, transfers its duties to the Department of Commerce, and enlarges those duties in connection with the transfer so that the preparation and dissemination of technical business literature, otherwise unavailable to the small businessman, may become available to him. If this bill were passed, you would be taking an oxcart form of propaganda and making it a working instrument for progress.

I, therefore, submit to you, Mr. President, that the Members of this Body should know that this is lying in committee and lying in boredom, and that it is a worthy piece of legislation, which deserves consideration or further thought by this Body.

I ask, in connection with this resolution for discharge, that a roll call vote be taken.

Mr. BERGER. Mr. President, there is no question that the bill referred to in the gentleman's resolution is in the Rules Committee. That it has lain dormant there, however, is a misapprehension and a misstatement. The bill is included in a list of bills which the committee had under consideration at its meeting held about a week ago, which meeting was held far into the night until about 11:00 o'clock, and was attended dutifully by the Members of both political parties in this Senate. Among the bills which were up for consideration at that time was the bill referred to by the Senator. This bill was carefully considered and it was the judgment of the committee that it ought not be reported to the floor, and it was not.

That is true of a large number of bills. If all of the bills which are presently reposing in the Rules Committee were referred to the floor, we would have to invoke the rule that in the year in which the Legislature meets that does not terminate the Legislature, but rather it is the month in which the Legislature adjourns, just as we were talking

about the hour last night whereby when the Legislature adjourns, that is the end of a legislative day.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. MAHADY and Mr. HAYS, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silver, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr. | Shafer, | Watkins, |
| Elliot, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON RULES FROM
FURTHER CONSIDERATION OF **HB 2070**

Mr. MULLIN offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 2070, Printer's No. 1062, entitled "An act amending the act of June 12, 1951 (P. L. 533), entitled 'An act relating to mental health, including mental illness, mental defect, epilepsy and inebriety; and amending, revising, consolidating and changing the laws relating thereto,' authorizing the Department of Public Welfare to support and foster community clinics and agencies for the treatment of the mentally ill and defective," having been referred to the Committee on Rules on August 31, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. MULLIN. Mr. President, House Bill No. 2070 passed the House on August 26, 1959 by a vote of 188 to 0. This bill amends the Mental Health Act of 1951 by providing for the Department of Public Welfare support of community psychiatric clinics and other community agencies engaged in early diagnosis, care and treatment of mental and emotional disorders. It would permit the Department of Public Welfare to do generally what heretofore has been authorized in successive appropriation acts.

I move for its adoption and ask for a roll call.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. MULLIN and Mr. SEYLER, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silver, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—23

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND
INDUSTRY FROM FURTHER CONSIDERATION
OF HB 322

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 322, Printer's No. 1161, entitled "An act amending the act of October 27, 1955 (P. L. 744), entitled 'An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined; creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement; and imposing penalties,' prohibiting discrimination in the selling, leasing or financing of commercial housing and discrimination in places of public accommodation, resort or amusement because of race, color, religious creed, ancestry or national origin, and changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relation Commission," having been referred to the Committee on Labor and Industry on August 5, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER, Mr. President, this is a rather vital piece of legislation. One of the reasons why I think so and why it has been brought to the attention of the people of this Commonwealth is due to the fact that there were public hearings held in the House which ran for about a week. Now the proponents and opponents of this bill met at that time, discussed it, and it was an area in which there was some positive action indicated. I think that we have, in this Commonwealth, arrived at the maturity of where we recognize that there are differences among people. Having arrived at that point, I think it is incumbent upon us to act and to make what all of us recite and constantly indicate as our position into public policy. That is all this bill would do. It would indicate that the State recognizes, along with its different functions, that all people are created equal and entitled to equality of opportunity. The hearings on these bills that exceedingly clear.

It appears to me that if you are going to try to satisfy everybody on any kind of a bill which deals with a problem as diverse as this, you are never going to get any legislation on it.

We had the same problem with the F. E. P. C., and we struggled and struggled with it, and I think since we have had the F. E. P. C., it has worked pretty well. No one has been hurt. No great riots have taken place and,

as a matter of fact, perhaps a little bit better understanding exists between the different peoples living in this community, who make up our State.

I would like to ask that this measure receive the consideration that it deserves, which is mature and objective consideration. I believe the chairman of the committee was quoted in one of the papers—and if I am incorrect, I wish someone would correct me—that he would give this matter consideration, and might conceivably report this bill to the floor. That has not been done. I would like to know why that has not been done. The reason is not necessary. Merely the reporting of the bill would give all of us an opportunity to take up this measure and to vote on it.

All of the different organizations which deal with minority problems and problems dealing with civil liberties have indicated their position on this matter, and I think that all of us should have the opportunity to do no less.

Mr. BERGER, Mr. President, awhile ago, I mentioned the fact that there had been a resolution introduced into this Senate suggesting or requiring that the vote on a bill in committee be made a matter of record for the edification of not only the Members of this Senate, but the people at large. I said that sometimes I thought it might be a salutary thing if that were the case.

Here again we have a bill which was considered by the committee. A vote was taken on it and the bill was not reported to the floor. Not being satisfied with that, a resolution was introduced to find out who voted for it and who did vote for it in committee which, as I said before, would break down the committee system in this Senate and in the House of Representatives.

Mr. President, in asking my colleagues to vote "no" on this discharge resolution, I suggest that all of the mileage possible has now been gotten out of this particular piece of legislation.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. SEYLER, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LAW AND ORDER
FROM FURTHER CONSIDERATION OF SB 947

Mr. MILLER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That Senate Bill No. 947, entitled "An Act

prohibiting the sale, transfer, purchase, ownership, possession and use of tear and noxious gas and tear gas guns; providing for certain exemptions; and providing penalties" having been referred to the Committee on Law and Order on July 14, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. MILLER and Mr. McCREESH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Ellott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF HB 1984

Mr. MILLER offered the following resolution, which was read as follows:

In the Senate, December 16, 1959.

Resolved, That House Bill No. 1984, entitled "An Act relating to the payment of wages or compensation for labor or services in private employment; providing for regular pay days; conferring powers and duties upon the Department of Labor and Industry, including powers and duties with respect to the civil collection of wages; * * *" having been referred to the Committee on Rules on August 31, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I would like to call the attention of the Chair, and of the Senate, to this discharge resolution on House Bill No. 1984. I would like to point out that the resolution does not state the facts. The bill was reported to the floor of the Senate and it was recommitted to the committee. Consequently, the averment of the resolution is entirely incorrect.

Mr. SEYLER. Mr. President, as I understand the Majority Leader, the bill in question is still in the custody of the committee and, certainly, therefore, the intent of the resolution is correct. It is perhaps no more exactly correct than the History of Senate Bills was yesterday when it stated that Mr. McGlinchey had already been confirmed, fifty to nothing. If the gentleman's point is that he wants us to take time to have the resolution redrawn, this, of course, we will do. Otherwise, we would hold that the intent of the resolution is just as pertinent as it was, because the bill has been recommitted and it has not re-emerged. Therefore, there is a need to discharge the committee from further consideration.

Mr. BERGER. Mr. President, of course, I might insist upon a new resolution. However, I will take the oral amendment, and we can proceed with the roll call.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. MILLER and Mr. McCREESH, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarra, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Ruth, | Stiefel, |
| Hays, | McMenamin, | Rooney, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Ellott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

REPORTS FROM COMMITTEES

Mr. PECHAN, by unanimous consent, from the Committee on Education, reported, as committed, **HB 1142**.

Mr. KELLER, by unanimous consent, from the Committee on Insurance, reported, as amended, **HB 1388**.

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. MADIGAN, that the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

The nominations were read as follows:

MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Daniel B. Swaney, Uniontown, Fayette County, for appointment as a member of the Pennsylvania Liquor Control Board from December 2, 1957, until November 29, 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OSTEOPATHIC EXAMINERS

April 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leopold Salkind, Philadelphia, for appointment as a member of the State Board of Osteopathic Examiners, from September 23, 1957, for the term of four years, and

until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE WORKMEN'S COMPENSATION BOARD

February 9, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for reappointment as a member of the Workmen's Compensation Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified:

Hugo J. Parente, 401 McKee Avenue, Monessen, Westmoreland County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

September 28, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Albert P. DelGrosso, 1159 East Fourth Street, Bethlehem, Northampton County, for appointment as a member of the Board of Trustees of Allentown State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Wilfred A. S. Fritchman, Allentown, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SELINGSGROVE STATE SCHOOL

December 7, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. Olan Dimm, R. D., Mifflintown, Juniata County, for reappointment as a member of the Board of Trustees of Selingsgrove State School, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leon C. Nurock, 324 Radcliff Street, Bristol, Bucks County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1961, and until his successor is appointed and qualified, vice Louis C. Spring, Bristol, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BRADFORD COUNTY BOARD OF ASSISTANCE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Jane Frawley (Democrat), 428 State Street, Towanda, Bradford County, for appointment as a member of the Bradford County Board of Assistance until December 31,

1962, and until her successor is duly appointed and qualified, vice Rev. Peter J. Alisauskas, Towanda, resigned, to compute from January 1, 1960.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frieda K. Foose, Mounted Route, Enola, Cumberland County, for reappointment as Justice of the Peace in and for the Township of Silver Spring, Cumberland County, to serve until the first Monday of January 1962, to compute from January 4, 1960.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr. | Proper, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallory, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Caucus Room on the first floor.

Mr. RUTH. Mr. President, I also request a one hour recess of the Senate for the purpose of holding a Democratic Caucus.

The PRESIDENT. Are there any objection? The Chair hears no objection, and declares a one hour recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Robert D. FLEMING) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RETURNING
HB 2430 TO THE SENATE

The Clerk of the House of Representatives being intro-

duced, informed the Senate that the House has concurred in resolution from the Senate, returning **HB 2430** to the Senate for further consideration.

The **PRESIDING OFFICER**. The bill will be laid on the table.

SB 1139 TAKEN FROM THE TABLE

Without objection, Mr. **BERGER** called from the table **SB 1139**, and received unanimous consent for its immediate consideration.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. **BERGER**. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 1139**.

Mr. **PECHAN**. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|--------------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE CONCURRENT RESOLUTION,

RECALLING SB 1250 FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. **BERGER** called from the table Senate Concurrent Resolution, recalling **SB 1250** from the Governor.

SENATE CONCURRENT RESOLUTION, RECALLING SB 1250 FROM THE GOVERNOR, ADOPTED

Mr. **BERGER**. Mr. President, I move that the Senate do adopt this resolution.

Mr. **PECHAN**. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SB 773—Mr. **PECHAN**. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 773**.

Mr. **WOLFE**. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. **WEINER**. I ask, Mr. President, that my colleagues vote "no" on this motion now before the Chair.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

| | | | |
|----------|----------------|------------|----------|
| Berger, | Keller, | Propert, | Wade, |
| Blass, | Kessler, | Scott, | Wagner, |
| Confair, | Koprivier, Jr. | Shafer, | Walker, |
| Ehrgood, | Kromer, | Stevenson, | Watkins, |
| Elliott, | Madigan, | Taylor, | Whalley, |
| Flack, | Mallery, | Van Sant, | Wolfe, |
| Harney, | Pechan, | | |

NAYS—24

| | | | |
|--------------|------------|---------|--------------------------|
| Barr, | Kalman, | Miller, | Sarraf, |
| Camiel, | Lane, | Mullin, | Seyler, |
| Chapman, | Mahady, | Murray, | Silvert, |
| DiSilvestro, | McCreesh, | Ripp, | Stiefel, |
| Donolow, | McGinnis, | Rooney, | Weiner, |
| Hays, | McMenamin, | Ruth, | Fleming, |
| | | | Presiding Officer |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS OF COMMITTEES OF CONFERENCE

HB 1207—Mr. **PECHAN**. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1207**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

Mr. **WAGNER**. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|--------------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2268—Mr. **PECHAN**. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 2268**, entitled:

An Act prohibiting mining in certain areas without prior

approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

Mr. KOPRIVER, JR. Mr. President, I second the motion.
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE, RECALLED FROM THE GOVERNOR

SB 297—Read at length the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

HB 634—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

SB 1043—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. PECHAN.

BILLS ON THIRD READING

HB 317—Read at length the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, I believe there are many reasons why we could oppose the passage of this bill. Because of the lateness of the hour, I would like to mention just three of them.

First, I would say, Mr. President, that this bill is not good legislation because it will not accomplish the purpose for which it is intended. As I understand it, this bill is intended to qualify Pennsylvania for some additional money from the Federal Government in connection with the road building program. As the bill is now drawn, Pennsylvania will not qualify under the Federal program and the bill, therefore, is meaningless in so far as its original purpose is concerned.

Secondly, Mr. President and Members of the Senate, this bill is premature. No State under the Federal road building program has yet qualified for any money. No State can ever get any money from the Federal Government for this purpose until the middle part of 1961. We have a year and one-half yet in which to work on the proper legislation in order to qualify if we wish to for additional Federal grants. To pass this bill at this time is very much premature.

Mr. President, the third and most important reason I would like to mention tonight is that it is more a matter of governmental philosophy. Inherent in this bill is the question that is recurring more frequently and becoming more important in every Legislature of every State in this Union. That is, how far do we want to allow the

Federal Government to encroach upon the powers of the States?

Under this particular piece of legislation regarding the regulation of billboards, twenty-one States have already rejected this type of legislation. It is pending, I believe, in a few other States at the moment.

Mr. President, We have gone a long way in this Country in the last generation toward regulating business. However, it seems to me that for the Federal Government to move in on a business of this nature and one of so minor a nature, in so far as its impact is concerned upon our total economy, is a very far-reaching extension of Federal regulatory powers. In this particular instance, Federal regulation, as designed in this bill, may very well destroy an industry that is an important part of Pennsylvania's economy.

Mr. President, more than that, we have seen time and again in various fields of governmental activity an attempt by the Federal Government to get its foot in the door of the business of the States by holding out a bait or a snare in the form of Federal money. If this bill is enacted and if we should qualify,—this bill, of course, as I have said will not qualify us for additional money—in the case of billboard regulation, the Federal Government is promising at some future date, even though there is no machinery or money yet appropriated for it, to Pennsylvania a little less than \$5,000,000 over a period of thirteen years. Yet, Mr. President, if we allow the Federal Government to dangle this bait in front of us and we bite for the bait like suckers, we are giving the Federal Government jurisdiction or some rights over more than 1,000,000 acres of land in Pennsylvania. We are also restricting, in a very serious manner, the rights of property owners along highways in the use of their lands; rights that have heretofore not been circumvented or restricted by legislation of this type. Certainly farmers and other landowners along highways are going to have the right to damages if the use of the land is restricted. Can anyone here tonight calculate how much more this bill is going to cost our Department of Highways in paying damages and how much more than the \$5,000,000 we may some day get from the Federal Government?

Mr. President, I think there has been in recent years too much encroachment by the Federal Government upon the legitimate activities of the State. Always the bait is a little extra Federal money. However, in too many cases, in order to qualify for the little extra Federal money, we impose far greater additional burdens and taxes upon our State residents. I think that perhaps this is one of the issues or one of the areas of governmental activity on which we should have a clear-cut decision in Pennsylvania as to just how far we want to go in turning over the rights, lands, privileges and the obligation to pay money on the part of the Pennsylvania citizens to the Federal Government.

Mr. President, for these and many other reasons which there is no need to debate at great length, I would urge all of my colleagues to vote "no" on this piece of legislation.

Mr. WEINER. Mr. President, I hate to take issue with one of my colleagues. However, I believe that one of the problems confronting us with this piece of legislation—it may be that the Senator's points are well taken and I do not doubt that there is a great deal of merit to what

he has said—is that it is the same as any kind of a zoning law. I believe our problem in this State and in every State on this matter has been discussed on national television networks. This has been taken up by both party platforms. I remember when I served on the Democratic Platform Committee, we had people representing both sides of this issue come in and spend hours discussing it. I believe the Republican Party did the very same thing for as many proponents and opponents of this legislation.

The purpose of this type of legislation is to set a public policy so that the lands contiguous to our highways are not cluttered with signs instead of landscaping. We are trying to zone out these areas so that people who are out for a ride on the highways will not be looking at billboard after billboard after billboard. They will actually see what nature there is left and what has not become commercialized. I am afraid that perhaps sometimes in doing this, property rights do suffer. However, property rights must always suffer where the welfare of the people is involved.

As between the two philosophies, I personally would like to subscribe to the welfare of the people philosophy. If commercialism must suffer, I feel badly that that is true. If property rights have to suffer, I feel badly that that is also true. However, I certainly think the beautifying of our communities is more important than commercialism, because if that were not the case, many of the residential areas that exist today in most of our fine cities would certainly go to pieces very shortly.

I think we here took a position on the taproom situation to limit them because they were encroaching upon many of our residential areas. It was not that anyone had anything against taprooms or that they, themselves, were bad, but we felt that we must delimit and delineate the areas we are going to have where people can live without commercialism or industrialism encroaching upon them. There are many fine pieces of ground which are available for industrial use, but people also have homes in those areas. If you removed zoning, you would have a chaotic condition.

I do not think the dangling of Federal money has anything to do with it. I think the Governor himself has taken a stand on this very position whereby the purpose that he is trying to achieve is to beautify the landscape and to beautify our city and our country areas, as well as our entire State.

Mr. MULLIN. Mr. President, this bill, I believe, is patterned to carry out the principles of the political parties and their programs. It is also a very progressive measure.

The tourist business is becoming bigger and bigger every year. The people from far and near are using our highways, especially the highways which are considered in this bill. The places farther away from the centers of population are becoming closer by reason of the faster means of transportation and the desire of people to tour their State and the Country, and see more of it.

This bill is merely intended to discourage the blotting out of all the natural scenery of Pennsylvania with a lot of bill boards, signs and so on, which we are trying to get away from in the sections where we live.

I think this is a very constructive measure. I think the people behind it are pure of mind and sincere. I also

think that we will be the beneficiaries of it, economically and otherwise, in Pennsylvania, both from the standpoint of income from taxes and the attraction of tourists, commercially, if you look at it that way. On the other hand, however, there are principles of maintaining our countryside, especially for the people who are traveling back and forth. Anybody who travels on the United States highways should take a trip into Canada and up around the area of Niagara Falls where they will find practically no billboards. I think that the contrast is a very pleasant one. I think it is about time that we did something to protect our own countryside for the tourists.

Mr. McMENAMIN. Mr. President, I very much dislike to disagree with my two distinguished colleagues from Philadelphia, who have just spoken. However, I think they missed the point of my remarks.

Certainly, the elimination of some of the billboard alleys which we have in Pennsylvania is a worthy cause. If that were the sole purpose of this bill, and the purpose were to be enacted in a sensible manner, I would certainly support it. We all know about how certain roads are paved with good intentions. I am afraid that somewhere in America there is a group of master planners who, by espousing worthy causes, are gradually paving a road for America into a strait jacket.

If the people who want to eliminate billboard alleys are sincere, why do they not put in a bill which would allow our own Department of Highways to eliminate congestion of billboards on all highways, not just highways which are a part of the Federal-State program. If we would have a bill here which would allow the Department of Highways to regulate, sensibly, billboards all over the State, whether they are on county roads, legislative routes, State highways or Federal highways, then I would be in favor of it and I would speak for it.

I am in agreement with those who think there are too many bill boards in too many areas on our highways in Pennsylvania. However, what I am objecting to—and I think this is the point which this Body should seriously consider—is that here, with the usual bait for the suckers of the States, the Federal Government is trying to get its foot in the door and regulate our problems here in Pennsylvania. That is my objection to this type of legislation.

Mr. President, it might be well to remark at this time that this seems to me to becoming more and more of a pattern. Just yesterday, we returned to a committee one of the most vicious pieces of legislation which I have ever seen on our Calendar; namely, House Bill No. 2388. That bill, in effect, would have given the Department of Highways the right to condemn any person's piece of property, anywhere in the Commonwealth and any time it wanted to do so. I never saw such a far-reaching piece of legislation. That bill listed, by name, twenty-two separate new reasons why the Secretary of Highways could condemn land. The language, in some instances, was so broad that the Secretary of Highways could condemn your house or my house tomorrow morning, without showing any good reason. The day thereafter, he could transfer it or sell it at a private sale to any other person in the Commonwealth. That would have been the greatest land grab in the history of the Commonwealth. I would not have voted for that bill unless we

amended the title of the Secretary of Highways and called him "Land Commissar."

Mr. President, a few years ago, in America, there was worry about creeping socialism. However, if legislation such as that and legislation such as this is to continue to appear on our Calendars, I think we have gone from creeping socialism to galloping socialism. We are fast moving down the road, through legislation of this type to one super government, in America, to Stateism or whatever you wish to call it.

It is for this reason, Mr. President, that I am opposing this billboard bill. It is not because I do not believe that billboards should not be regulated or some effort made to clear up the litter on some parts of our highways, but we should do it ourselves as a State problem and not invite the Federal Government in and give it forevermore the right to restrict the uses of property of more than 1,000,000 acres, owned by Pennsylvania's citizens.

Mr. WADE. Mr. President, it hardly seems necessary for me to take the floor to express my views regarding this bill, since Senator McMEnamin has so well expressed the case against this bill here this afternoon. However, I want to repeat some of the things which he said.

Twenty-one States of this Union have already considered legislation very similar to House Bill No. 317, and have either defeated the bills or laid them aside without further consideration. That, in itself, is evidence to me that it is an important measure. The fact that the things which Senator McMEnamin has so well pointed out here this afternoon, regarding creeping socialism and the intent on the part of the Federal Government to hold out a bait to us, seems to me to be very pertinent, indeed.

Pennsylvania is a great industrial State. At least, we have ranked high among the States of the Union as an industrial State. We are currently setting aside some \$10,000,000 to invite Industry into our Commonwealth. Here we propose to take, by a creeping method, and industry which spends \$25,000,000 among our suppliers in the Commonwealth. If we are going to try to build industry on one hand and, on the other hand, destroy industry, it does not seem to me to make such sense.

On July 1, 1961, we must make a decision regarding this matter. The decision is not pressing now and we are not being hurried into it. Only two States have passed it and not a single State has ever received one cent of this bonus which is held out in the hope that we will enact this legislation.

Mr. President, let me remind you, again, that in the Federal fund for interstate highways, all these special taxes go into their General Fund. Those funds then must be reappropriated from that General Fund into the Highway Trust Fund. The further qualification is that the funds again be reappropriated from this Highway Trust Fund for this specific purpose. Through the press, you have read, during the recent months and practically all through this year, the history of that Highway Fund. They purported to raise \$40,000,000,000 for this interstate highway system. Now it proves to be entirely inadequate. The possibility of reappropriating any money for the purpose of paying a bonus to the Commonwealth of Pennsylvania is, indeed, very remote.

Let me read from a recent statement, as follows:

"The payment of such a bonus, however, is

entirely dependent upon an appropriation of funds by Congress for that purpose. Up to date, three years after the Federal highway enactment has been made, no appropriation has been made."

We know of the serious condition of this Highway Fund. We know that the permission to go ahead with roads promised to the different States has not been granted for the simple reason that funds are lacking.

In the October 17th issue of the New York Times, an Associated Press dispatch states that a special White House group is reported to be considering a move for major changes in the interstate highway program. One proposal under study is said to be that the States pay a larger share of the \$40,000,000,000, originally undertaken. The article states further that a study would indicate the possibilities of cutting the percentage of contributions to all interstate projects.

One wonders, therefore, whether any funds will ever be appropriated by Congress for this project.

Mr. President, let me give you a little history of this bill in the Senate. We received the bill from the House on June 22. If you will look at the House History, you will find that the bill was rereported from committee, as amended, debated several different times and then passed by a small majority. When we received the bill in the Committee on Highways, we appointed a special committee of three. After some consideration, they reported back that they could reach no decision on this legislation. Again, we considered the bill in committee and again we appointed, for the second time, a special committee to study this bill. That committee held hearings and developed very valuable information. It learned, through those harings, which were pretty well attended, that this was a \$25,000,000 industry and that this was the first step of getting a foot in the door to destroy this industry in Pennsylvania.

About that time, September 23, prior to the hearings, Senator Wagner, Senator Berger, Senator Stevenson and I joined in Senate Resolution, Serial No. 70, asking that the Joint State Government Commission study this whole problem and report back to the next Session, which would be in ample time for the next Legislature to act.

Let me say further, Mr. President—and I will not attempt to further lengthen the debate on this matter—that this bill board industry has helped to build industry in Pennsylvania. There are scarcely any of our manufacturers who do not make use of this industry, and it is used for many other purposes.

I will now read a letter that was handed to me, about a day or two ago. It is addressed to a Mr. Henry Posner, Jr., and comes from a lady in Pittsburgh. Her name, for your information, is Ruby L. Zener—Mrs. Clarence Zener—Chairman of the County Sale for Girl Scouts in Allegheny County. The letter reads as follows:

"Dear Mr. Posner,
"Once again the Girl Scouts of Allegheny County are planning their annual sale. We remember with gratitude how generously you helped us in our 1959 sale by giving us billboard space which we would not afford to buy. These large advertisements encouraged the girls as they went out to call on customers who were expecting them, and our profits were greater than in former years.

"We are all hoping that you will be willing

to help us again this year. The sale will run from January 29 to February 13, 1960, throughout Allegheny County. We shall have billboard sheets (108 x 236)" advertising the sale, asking the public to support the Girl Scouts, and with no company name thereon. If you can possibly place some of these announcements the week prior to the sale, i.e. from January 24, our Council will be very appreciative of your kindness."

That is only one example of many where these billboards are used throughout our Commonwealth.

Let me further emphasize one more point. In the building of our interstate highways, it is possible that our Department of Highways, which builds the roads, will take a right of way of 400 or 500 feet for this road purpose. This bill provides—and it is limited in its present form to interstate highways—that we deprive the landowner, from the edge of the right of way for 660 feet on one side and 660 feet on the other side, of a right which he inherently has by being a landowner. I very seriously question the constitutionality of taking that right away from him. We know we have the right of eminent domain to take the right of way for highways. However, we do not know that we have the right to take a right of way beyond what we are using and restrict the purposes of the use of that property.

I submit, Mr. President, that there is a very serious constitutional problem in this. We should have the funds to pay the land owner for that property—North Dakota, by the way, passed such legislation—and provide that we pay for that right which we are taking by the right of eminent domain, which this bill provides. This bill is one restricted form of eminent domain, by going 660 feet on the right and 660 on the left beyond the property we are taking to be used by the Commonwealth or the Federal Government. Very seriously, Mr. President, I question whether we have the right to take that without paying for it. There is no provision in this bill to pay the landowner for our taking of that right.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. KOPRIVER, JR. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. BERGER. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. EHRGOOD. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

SEN. J.

Confair,
Elliott,
Flack,
Hays,
Keller,
Koprivier, Jr.,

Lane,
Mallery,
Mullin,
Murray,
Propert,

Ripp,
Scott,
Seyler,
Shafer,
Stevenson,

Taylor,
Wagner,
Watkins,
Weiner,
Fleming,
Presiding Officer

NAYS—19

| | | | |
|----------|------------|-----------|----------|
| Berger, | Madigan, | Miller, | Wade, |
| Camiel, | Mahady, | Pechan, | Walker, |
| Ehrgood, | McCreesh, | Rooney, | Whalley, |
| Kalman, | McGinnis, | Ruth, | Wolfe, |
| Kessler, | McMenamin, | Van Sant, | |

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

HB 1002—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

Mr. WADE. Mr. President, in a meeting with a group of Members of the Senate recently, it was suggested that amendments be prepared for this bill on page 3, line 3, after the word "magistrate," to include justice of the peace and alderman.

I have had similar amendments prepared. I also have received a letter from the Legislative Reference Bureau stating:

"I believe the attached amendment is unnecessary as 'magistrate' is defined in Section 102 of The Vehicle Code as a mayor, burgess, magistrate, alderman, justice of the peace or other officer having the powers of a committing magistrate."

I have checked The Vehicle Code, passed in April, and find that is true. Therefore, I will not offer the amendments because I believe this bill is now in good order.

And the question recurring,
Shall the bill pass finally?

(During the calling of the roll, the following occurred):

The PRESIDING OFFICER. Having voted under a misapprehension, I desire to change my vote from "aye" to "no."

Mr. WEINER. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

| | | | |
|----------|-----------------|----------|----------|
| Berger, | Flack, | Madigan, | Taylor, |
| Blass, | Harney, | Mallery, | Wade, |
| Chapman, | Keller, | Pechan, | Wagner, |
| Confair, | Kessler, | Propert, | Walker, |
| Ehrgood, | Koprivier, Jr., | Scott, | Watkins, |
| Elliott, | Kromer, | Shafer, | |

NAYS—23

| | | | |
|-----------|------------|------------|-------------------|
| Camiel, | McGinnis, | Rooney, | Van Sant, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | Seyler, | Whalley, |
| Lane, | Mullin, | Silvert, | Wolfe, |
| Mahady, | Murray, | Stevenson, | Fleming, |
| McCreesh, | Ripp, | Stiefel, | Presiding Officer |

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

SB 1030—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

YEAS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 1057—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 8:30 o'clock p. m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 8:30 o'clock p. m.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. KELLER, by unanimous consent, from the Committee on State Government, reported, as committed, **HB 1584**.

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 2117, 2119, 2139 and 2463**; and, as amended, **HB 2118 and 2459**.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 136**, with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be laid on the table.

SB 136 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 136**, and received unanimous consent for its immediate consideration.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 136**.

Mr. WAGNER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Miller, | Stevenson, |
| Berger, | Keller, | Mullin, | Stiefel, |
| Blass, | Kessler, | Murray, | Taylor, |
| Camiel, | Koprivier, Jr., | Pechan, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | | | Presiding Officer |

NAY—1

Proport,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 727**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be laid on the table.

SB 727 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 727**, and received unanimous consent for its immediate consideration.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 727**.

Mr. KOPRIVER, JR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Miller, | Stevenson, |
| Berger, | Keller, | Mullin, | Stiefel, |
| Blass, | Kessler, | Murray, | Taylor, |
| Camiel, | Koprivier, Jr., | Pechan, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | | | Presiding Officer |

NAYS—1

Proport,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 794**, with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. The bill, as amended, will be laid on the table.

SB 794 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 794**, and received unanimous consent for its immediate consideration.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **SB 794**.

Mr. STEVENSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Miller, | Stevenson, |
| Berger, | Keller, | Mullin, | Stiefel, |
| Blass, | Kessler, | Murray, | Taylor, |
| Camiel, | Koprivier, Jr., | Pechan, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | | | Presiding Officer |

NAYS—1

Proport,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 1344**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1344**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. MALLERY. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

He also informed the Senate that the House has nonconcurrent in amendments made by the Senate to **HB 1355**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1355**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. WATKINS. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

He also informed the Senate that the House has nonconcurrent in amendments made by the Senate to **HB 2170**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 2170**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. MADIGAN. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

He also informed the Senate that the House has nonconcurrent in amendments made by the Senate to **HB 2192**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 2192**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. SHAFER. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

He also informed the Senate that the House has nonconcurrent in amendments made by the Senate to **HB 2193**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 2193**

Mr. BERGER. Mr. President, I move that the Senate

insist upon its amendments nonconcurrent in by the House to the foregoing bill.

Mr. KESSLER. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN
AMENDMENTS TO **HB 1192**, AND APPOINTS
COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1195**, and has appointed Messrs. GAILEY, POLEN and HELM, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1195**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1195**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN
AMENDMENTS TO **HB 1977**, AND APPOINTS
COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 1977**, and has appointed Messrs. STONE, POLEN and BOWER, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1977**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1977**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. ELLIOT. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE
In AMENDMENTS TO **HB 2150**, AND APPOINTS
COMMITTEE OF CONCURRENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **HB 2150**, and has appointed Messrs. ROVANSEK, POLEN and WYND, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO **HB 2150**

Mr. BERGER. Mr. President, I move that the Senate

do insist upon its amendments to **HB 2150**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILLS

He also returned to the Senate, **SB 1262** and **1265**, with the information that the House has passed the same without amendments.

HOUSE CONCURS IN AMENDMENTS TO **SB 298** and **1133**, RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to **SB 298** and **1133**.

Said bills having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bills amended.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 506**, **1121**, **1122**, **1639**, **1927** and **2108**.

HOUSE ADOPTS REPORTS OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 762**, which was placed on the Calendar.

HB 2430, RETURNED TO THE SENATE FOR FURTHER CONSIDERATION, TAKEN FROM THE TABLE

Without objection, Mr. WEINER called from the table **HB 2430**, which was returned to the Senate for further consideration.

RECONSIDERATION OF **HB 2430**

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which **HB 2430** passed finally on December 15, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. BERGER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote? Mr. BERGER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 1, page 2, line 3, by inserting after "322)": "and amended November 19, 1959 (Act No. 551)"; Amend Sec. 1 (Sec. 2), page 3, line 6, by inserting after "proceedings": "or reconveyance by the condemning body of the property condemnation which reconveyance may include property line adjustments provided said reconveyance is made within one year from the date of condemnation"; Amend Sec. 1 (Sec. 2), page 3, line 16 by inserting after "the": "vendor holding the"; Amend Sec. 1 (Sec. 2), page 3, line 16 by striking out "mortgagee" and inserting: "mortgage."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over printing.

CALENDAR

BILLS ON THIRD READING

SB 1256 and **1257**—Without objection, the bills were passed over in their order at the request of Mr. PECHAN.

SB 1272—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill, Senate bill No. 1272, if enacted into law, would allow the school boards in the city of Philadelphia and the city of Pittsburgh to raise the real estate taxes up to twenty-five mills. This bill would put in the hands of the school board, which is not an elected board in the city of Philadelphia and the city of Pittsburgh, the authority to raise the taxes up to twenty-five mills. This is quite a jump from the present rate of taxation by the board. It would also provide a means of taxation without the people really being represented which, I think, is basically contrary to what we have always known, and for which I believe the Revolutionary War was fought—taxation without representation.

The people who serve on the school board are honored citizens who receive no pay whatsoever. Many of them attend meetings which are held once or twice a month. Many of them also, during the time when there are no meetings, visit the school buildings and make unannounced visits to many of the school areas or warehouses to see how things are going. They are the board of directors, as it were, of the school building group, the school teachers and the school administrators.

To place this power in their hands without any right of the citizenry to be heard, or without any right of the citizenry to take any kind of action in this matter, is I think a rather odd way of doing things. If these people exceed their authority, the only thing a citizen can do is

begin a court action, which is rather a devious method to accomplish a purpose that was never intended to be put into their hands. We have, for example, the Legislative Body here which enacts taxation and recommends it to the Governor. The reverse is many times true when the Governor tells us how much he needs and we, in turn, enact the taxes or the means of raising the revenue and submit this to the people. If the people are dissatisfied with what we do, they vote us out of office, or vote out the Governor or the Executive Branch. We are in a position to be acted upon by the voters.

This measure places in the hands of people who are not elected the same kind of authority that we have, but without the privilege of the people to take any action against them. I think this is a rather unfair way. I also think these limits are excessive as far as the cities of Philadelphia and Pittsburgh are concerned, or Allegheny County, and I think this is a bad measure. I think we would set a bad precedent. I do not think that we would give this power to other boards and commissions which now exist in this State or that now exist anywhere else in the Commonwealth.

Mr. BERGER. Mr. President, to paraphrase a great American, "You can please some of the people all of the time, and all of the people some of the time." However, on the subject of permitting the school board of Philadelphia either to be elected and thus lay its own taxes, or to be appointed and lay taxes as designated by the Legislature, you can never get to first base.

Mr. President, the first two bills on this Calendar would do exactly what the gentleman complains is not being done; that is, to permit the school board of Philadelphia to be elected by the people. The spokesmen for Philadelphia rise up and say, "Do not do that. Do not do that. We will not get a good school board." Then they come along and say, "Well, let the appointive board remain, but let them levy millage up to a certain figure which is limited by the Legislature." They say that if you give them any discretion at all, they are an appointive body and should not be allowed to do it.

Mr. President, I submit that this bill is probably the best answer to the proposition in trying to meet some of the objections. However, I never hope that the Legislature will be able to meet them all because, evidently, what Philadelphia wants is for the Legislature to tell them how much tax they can levy and then complain that they are taxed too much.

Mr. WEINER. Mr. President, I believe that the gentleman will recall that the Members here voted—and I believe that all of them on this side voted—to raise the present tax rate in the city of Philadelphia by two mills. That means that for the next two years, according to the estimates given to us by the school board, this will take care of all of their revenue problems in the coming biennium. If the gentlemen on the other side feel that this matter is tied in with the other two matters about which we are speaking,—namely, Senate Bill No. 1257 and possibly Senate Bill No. 1256—I feel that those are two separate issues which should be discussed on their own merits and on their own grounds. I think if you ask them to raise the school board levy, I do not see that it is any great hardship on the Members of the Legislature to undertake from time to time, when the school board does

come here, and they have not been here for awhile other than this Session. They had not been here the Session before that to ask for an increase or the Session before that to ask for an increase in the amount of money they could raise or the amount of money that they needed. I think to just willy-nilly give them this without an investigation to determine whether they need this or not is a rather quick method of accomplishing some purpose best known to the gentleman who have introduced this bill.

Mr. MULLIN. Mr. President, it is customary, when people want a little more power that we wait until they ask for it. I do not know of anybody in Philadelphia who asked Senator Pechan or Senator Propert to introduce this bill to give them more power to levy more taxes. On the other hand, the people in Philadelphia, who have expressed an opinion on this bill along with Senate Bills Nos. 1256 and 1257, are opposed to this bill.

This is the windup of a long Session. We have been here almost a year. A bill such as this, along with the two previous bills, is a matter which is not only controversial, but it is one which goes to the heart of some fundamental problems with the Philadelphia school system. The various agencies in Philadelphia, who are interested in the Philadelphia school system, have expressed their opinions on this legislation as being so controversial and so important that they would probably like it to be left alone at the present moment because they have missed the boat in this Session. Such bills should have been introduced earlier in the Session, and the views of the people from home and school associations should have been heard, along with the views of the people on the Board of Education in Philadelphia and the various other agencies which are interested in such legislation. Coming at such a late time, I think the bill is out of order at this time.

This bill was introduced by persons who do not live in or represent Philadelphia or its problems. The Philadelphia Board of Education is not a political organization. I happen to have been interested in this problem for a little while in an effort to get some of their viewpoints across. As far as appropriations go this year, they have some very controversial problems.

One very active member of the Board of Education of Philadelphia, who happens to be president of the board and who is a very active ex-Republican politician, is using his office, in my opinion, to make it political and has conducted a series of activities which were political. In fact, this has been done to such an extent that Senator McCreesh and I did introduce a bill calling for election of the school board if they continued such activities. Such activities have ceased. I believe that the members were carried away by their desire for this Body to grant more money to the city of Philadelphia to carry out the purposes of the school district.

From all of the letters that I have received from the people of Philadelphia,—not only letters by the hundreds, but also telegrams from every home and school association in the city who have wired me and all of my colleagues from Philadelphia—they would rather that education in Philadelphia be kept away from political action. It is really an administrative and specialized activity, so far as the school board in Philadelphia is concerned, in its

field. It is an administrative body. From year to year, the business manager of the school district of Philadelphia has come in here and asked for more money, which the Legislature has always obliged by giving them power to increase the millage and so on. To that, I would say the General Assembly has been very cooperative.

The people of Philadelphia do not seem to want this legislation. We, who represent the people of Philadelphia here, oppose this bill for the various reasons given. I think there is some merit in the general idea that is expressed in these three bills, but I think that the people of Philadelphia—especially the parents of children in the public schools and also the board of education of Philadelphia, which comprises the school district of Philadelphia—are not interested in this particular bill and the other two bills at the present time. Maybe at some later Session of the Legislature they might be given some serious consideration and study. However, at the present, as a representative of Philadelphia, I ask this Body to vote against this bill and the other two bills should they come before the Senate.

Mr. EHRGOOD. Mr. President, I will be glad to yield to my colleague, Senator Watkins.

Mr. WATKINS. Mr. President, I desire to interrogate the Minority Leader, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. WATKINS. Mr. President, was I hearing clearly when I heard Senator Weiner say—at least, I thought he did—that he was opposed to taxation without representation?

Mr. WEINER. Mr. President, I do not know that I would classify myself as an otolaryngologist and could testify as to the gentleman's hearing, but I believe that one of the things I did say was that one basis on which this Country was founded was a stand against taxation without representation. It is a bad thing or, to paraphrase, it is tyranny.

Mr. WATKINS. Mr. President, I have been trying to tell that to the Philadelphia delegation for eleven years. Taxation without representation is unfair, unjust and certainly not good government. Therefore, I would like to request of the gentleman that he put into writing a resolution, or join with me in a resolution, asking Mr. Dilworth, the Honorable Mayor of Philadelphia, and the council to relieve Delaware County of the nonresident wage tax which we are now paying to Philadelphia. I certainly am glad that the gentleman has taken the attitude opposing taxation without representation. I shall draft the resolution tomorrow, and hope that he will join with me in sponsoring it.

Mr. WEINER. Mr. President, I will have to plead that I do not know where the question began and where the speech ended. However, I would like to interrogate Senator Watkins, if he will allow himself to be interrogated.

The PRESIDING OFFICER. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise us if he is the Senator from Delaware County?

Mr. WATKINS. Without question of a doubt.

Mr. WEINER. Mr. President, will the gentleman further advise us if the city of Chester is located in Delaware County?

Mr. WATKINS. I think it is in Delaware County. I think you Democrats know that it is in Delaware County, too, after this last election.

Mr. WEINER. Mr. President, I find that the gentleman is not as sure of whether the city is in Delaware County as he is of whether he is the Senator from Delaware County. However, that aside, Senator, are you aware that the city of Chester was thinking about levying a wage tax recently? I think it was Councilman Gorbey who recommended it. I believe he was on the Republican ticket and was elected as a Republican councilman. Is that correct?

Mr. WATKINS. Mr. President, I heard some rumor about something like that. However, I do not always believe what I read in the newspapers. Certainly if the Mayor and councilmen of the city of Chester talked about a wage tax,—and I think the gentleman is correct that they did—but I will say that Senator Watkins never talked about a wage tax. I would like to go on record now as saying that if they are thinking about levying a wage tax as you say,—but I have other information that they are not going to levy a wage tax—I shall oppose it. I shall always be for the repeal of a wage tax in any place in my county where one is levied.

To enlighten the gentleman from Philadelphia so that I can bring him up-to-date,—evidently he is busy and does not read the newspapers—the city of Chester has no idea now of levying a wage tax.

Mr. WEINER. That is correct, Senator. You have answered my question, and I want to thank you for your courtesy. However, what I wanted to say was that you actually did not say anything about the wage tax during the time the Chester officials were talking about it.

Mr. WATKINS. Oh yes, I did.

Mr. WEINER. I believe that one of the newspapers—if I am incorrect, please correct me—said that you were unavailable for comment, and nothing happened until just recently when the city decided to do away with the idea of a wage tax and decided to use some other form of taxation to solve their financial problem.

Senator, I would like to say to you that the people in your county do not have to be taxed in the city of Philadelphia. Their problem is a very simple one. All they have to do is seek a job somewhere else. I am sure that the people in Philadelphia who can take a job in the city will be only too happy to pay that wage tax.

Mr. WATKINS. I am not going to argue that point, Mr. President.

The PRESIDING OFFICER. The Chair must insist on order. If there is an interrogation, it must be directed through the Chair. We have given wide latitude. We are seemingly now talking about other than the matter germane to the subject before us. We are discussing Senate Bill No. 1272.

Mr. WATKINS. Mr. President, I think the Chair is absolutely right. However, I think you should give me the courtesy of answering one shot which he sent over this way.

The PRESIDING OFFICER. The gentleman may proceed.

Mr. WATKINS. Mr. President, I would like to say to the

gentleman that when he said that I had no comment to the newspapers, he is correct. However, the newspapers contacted my office and put a very beautiful picture of me in the paper. The article under it said that Senator Watkins was very much upset, and also that he was closeted with the leader of Delaware County, opposing the tax. Now does that answer your question that I did do something about it, Senator?

Mr. President, that is all I have to say. I am most grateful that the gentleman has once admitted that he is opposed to taxation without representation.

Mr. WEINER. Mr. President, I do not want to digress or go far afield, but I am glad that the gentleman was closeted with the great leader of Delaware County and that they brought this matter to a successful conclusion.

Unfortunately, I did not read the newspaper account indicating that Senator Watkins had any bearing on the final action taken by the city council. I think full credit was given to Councilman Gorbey. I think the record should be set straight that it was actually Senator Watkins who set this matter right, and that they are going to put this wage tax out of the category of being considered and take up some other form of taxation.

Mr. PECHAN. Mr. President, as a cosponsor of Senate Bill No. 1272, I would like to state that this measure was introduced after we ran into some opposition to Senate Bills Nos. 1256 and 1257. To my way of thinking, I do not know why the city of Philadelphia or the city of Pittsburgh should be any different than any of the other sixty-five counties in the Commonwealth, so far as running their schools is concerned. The thing that I do not understand is why should this Legislature, every two years, be subjected to raising the millage of the taxes in those two cities.

I have just finished a tour of duty as a school director in Armstrong County, in my local school district, of thirty years. One of the very unpleasant duties that I had to perform was to raise the millage to run our schools. Why Philadelphia and Pittsburgh should not have the same power, whether they are appointed or not, I do not know.

You object to having an elected school board. You object to having the right to assess the people so far as tax revenue is concerned to run your schools. You want to come down here every two years and put the onus on me. I am from Armstrong County and I have troubles enough of my own running my own school district, let alone worrying about you fellows in Philadelphia and in Pittsburgh.

We are raising the limit to twenty-five mills. Whether your school directors are appointed or elected, the fact that this bill gives them twenty-five mills as a ceiling does not mean that next year they will have to raise the millage from sixteen to twenty-five. If they are good business people like we are in my school district, and in the other sixty-five counties, they are probably going to go easy. They might raise it one-half mill or one-quarter mill. Once in awhile in a good school district, such as you will find over the Commonwealth, we reduce the taxes and give people better school teachers and better schools.

We are not afraid of politics. You want to keep the school board out of politics. What are you politicians afraid of? We are not afraid. I want to tell you that I also happen to be the Republican County Chairman of Armstrong

County, and I have said—and I feel very strongly about this because I would like to get all politics out of our schools—that I think the school directors should run on a nonpartisan ticket. Perhaps that is a sacrilege. Perhaps that is wrong so far as the Republican County Chairman is concerned. However, I feel very, very strongly about it.

Mr. WEINER. Mr. President, with great fear and trepidation, I would like to admonish the Senator from Armstrong as he seems to be offending the Senator from Cumberland who admonished me this afternoon for talking politics in this Chamber. I hope that you will stay away from that, Senator, because talking about politics or mentioning anything political is very offensive to the Senator from Cumberland. You can see by his nodding head that he can hardly trust himself to speak on this subject, and this has offended him very badly.

To get on to the problem that you mentioned, Senator, would you allow yourself to be interrogated?

Mr. PECHAN. It is a little difficult with a Philadelphia lawyer, but I will take a chance.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WEINER. Mr. President, will the gentleman advise us how long he has been in this Senate?

Mr. PECHAN. Mr. President, one of the Members said, "Too long," but it is eleven years, Senator.

Mr. WEINER. Senator, how many times during those eleven years have you voted for an increase in the real estate tax or millage for the city of Philadelphia?

Mr. PECHAN. Mr. President, I do not recall how many times. However, I do recall that along with raising the millage, you have come here as a distressed area asking for additional help.

Mr. WEINER. Mr. President, the gentleman is not answering my question. Senator, let me rephrase my question. Maybe it was my fault, and I stated it incorrectly to you.

Did you vote for Philadelphia to increase its millage this last time at this Session?

Mr. PECHAN. Yes.

Mr. WEINER. You did vote for it?

Mr. PECHAN. Yes, I did.

Mr. WEINER. All right. How about two years ago?

Mr. PECHAN. Did we have to do it two years ago?

Mr. WEINER. Senator, I am merely taking your statement. You said you voted on it every two years. Now I just want to know if you voted for it in the 1957 Session.

Mr. PECHAN. If I said every two years, I do not recall that you have done it every two years. You are probably going to do it every year now that we have Annual Sessions. The reason I made it two years was because we had Biennial Sessions. I do not know whether you have come every two years or not. However, I do know that one of the biggest problems that I have with the Philadelphia School District and the Pittsburgh School District is that they are always short. If you would hear of the troubles that we have in our area—

Mr. WEINER. Senator, excuse me for interrupting. I do not mean to be rude. However, I listened to you when you spoke, and I am just asking that you extend me the same courtesy. Did you vote for an increase in the 1955 Session?

Mr. PECHAN. I do not recall. I did answer that once, but you would not let me alone so I had to elaborate.

Mr. WEINER. How about the 1951 Session, Senator? Did you vote for a millage increase then?

Mr. PECHAN. If you got an increase, I voted for it; yes, sir.

Mr. WEINER. Might I suggest to you, sir—

Mr. PECHAN. Were you here in 1951, may I ask?

Mr. WEINER. No, sir.

The PRESIDING OFFICER. The Chair will have to insist that if the interrogation is to take place, it must take place in accordance with the rules of the Senate. Senator Weiner has asked to interrogate Senator Pechan. The gentleman has agreed to be interrogated. Now, Senator Weiner, proceed with your interrogation.

Mr. WEINER. Mr. President, will the gentleman please advise us if he voted for any increase since 1953, through the present date, for the city of Philadelphia or Allegheny County?

Mr. PECHAN. Increase in millage, may I ask?

Mr. WEINER. Yes, sir.

Mr. PECHAN. If we did not do it by increasing the millage, we gave it to you in some other way.

Mr. WEINER. Senator, we are only concerned here about increasing the millage. I think that is the only matter which is presently before us.

Mr. PECHAN. I am not concerned about being cross-examined.

Mr. WEINER. Senator, do you refuse to answer the questions?

Mr. PECHAN. If you continue your line of questioning, I do, yes.

Mr. WEINER. In other words, Senator, I want to thank you. If I continue on with matters which are germane to the bill, you refuse to answer the questions. Is that correct?

Mr. PECHAN. That is not correct.

Mr. WEINER. All right. Then, sir, would you answer this question: Do you happen to know what the millage rate is in the city of Philadelphia at the moment?

Mr. PECHAN. If I recall correctly, it is sixteen mills.

Mr. WEINER. Do you happen to know what our deficit has been in the city of Philadelphia in the school system?

Mr. PECHAN. Certainly not. I do not want you to worry about my deficit in Armstrong County either.

Mr. WEINER. I want to thank the gentleman.

Mr. President and Members of the Senate, I believe that the gentleman has demonstrated that some of the statements he has made are rather gratuitous and were probably made in the heat of the discussion on this bill. However, I think that the facts—and that is what I want to concern myself with—will show that in the last six or seven years I have been here, the only millage which has been raised for the city of Philadelphia and Allegheny County has been during this Session when they came in and asked for an increase of two mills.

The other problem that I would like to address to the Senator is that if we would receive, in the city of Philadelphia and in Allegheny County, the proportionate share under the reimbursement formula which is due us, we would have no problem and we would not need any millage.

As a matter of fact, I would like to go one step further.

Mr. President and Members of the Senate, if we were allowed to keep our own tax money and not turn any of it over to the State, we would not have to burden the State with our problems. We would be able to take care of ourselves very nicely. However, that is not to be. The rest of the counties in this State, for some purposes, want to include us and for other purposes want to exclude us. The only purpose for which they want to include us is to take some of our tax money out of our area. They want to exclude us for those purposes for which we have come forward to ask for our proportionate share in return.

If you would change the formula for the city of Philadelphia or if you would run the formula the proper way, on a per pupil system. This formula that they have evolved is to me a mumbo jumbo and I doubt if there are two or three men in this room who thoroughly understand it. This formula is based on a classroom basis and a classroom unit, and the unit is defined by the people who have set up the formula so that it definitely militates against us every time we put an extra child in a classroom which does not meet with the unit requirement. If this is a fair way of operating a system, and if this is a fair way of discriminating against children who happen to live in a big city, I fail to see either the fairness or the wisdom in operating that way. Those children do not need education any more or any less than the children in your counties.

Senator, I would like to just say, in closing, that I think this measure is nothing more than a political measure to try to embarrass our school district, and also perhaps, remove the burden from those people in the community who are best able to bear it.

Mr. EHRGOOD. Mr. President, first of all, I would like to say that I cannot agree with the Majority Whip in the advisability of having nonpartisan school directors. I recall that in the investigation of the Department of Public Instruction, Senator Seyler gave one of the best answers I ever heard for having school directors elected on partisan ballots, and I agree wholeheartedly with him.

However, attending to the problem at hand, I have heard a great deal about home rule, and I believe that it should not be an old coat that you discard at your will. I think this bill, which raises the limitation to twenty-five mills, is in the strong category of a home rule bill. In other words, it seems to me that the board of education would have the ability to meet their own need as they best know it. They know it better than we here in the Legislature, and I see no reason why they should not decide that matter instead of the Legislature. That is home rule, it seems to me, instead of having to come up here and get down on their hands and knees and beg for an additional tax millage raise or asking, perhaps, for additional appropriations rather than raises in millage. That is why I think this is an excellent bill. I cannot quite understand why the Senators from Philadelphia would be against this bill.

Mr. MULLIN. Mr. President, I want to congratulate the Senator from Armstrong in connection with having problems in the school district wherein he resides, and I cannot understand why he has to bother himself with the problems of the school district of Philadelphia.

It is not a question, as Senator Ehrgood says, of home rule. I think that the problem is a complex one. I do not think that this particular bill will give the school district of Philadelphia home rule. It will increase the real estate

millage to twenty-five mills. The problem is one which concerns Philadelphia, the school teachers of Philadelphia, the mothers and fathers of the children in the public schools of Philadelphia and all of the people of Philadelphia whether they are interested in public schools or private schools. In that respect, it is a very important problem. It has many ramifications. For that reason, I think it is a complex matter which should not be brought up here during the last couple of days of this Session in order to try to put it through this Body as though it were part of a serious piece of legislation. It is a serious subject; a very serious subject, but it is not seriously put forth by the proponents of the legislation.

I certainly think that we should not give it the dignity of being passed by this Body.

Mr. LANE. Mr. President, we appear to be having a League of Nations debate upon a piece of legislation which I do not believe merits all of this talk.

I would like to be very brief and to the point. Increasing the millage up to twenty-five mills actually does not accomplish too much. There are two ways by which revenue can be acquired; either by assessments or by millage, or by both. For example, twenty-five mills on a \$10,000 assessment will bring in half of the revenue of twenty-five mills on a \$20,000 assessment.

I understand in Philadelphia,—I may be wrong, but someone said this—they assess eighty per cent of the market value. If that be the case, they could increase assessments from eighty to ninety per cent market value and, at the same time, take the twenty-five mills and they, of course, would have additional revenue. In the event this bill would pass and there would be a reduction in assessments from eighty per cent to forty per cent, you can readily understand that there would be a vast fluxuation. I believe that about the only way we could ever make this legislation work would be to put a floor on the amount of the assessed valuation with reference to the market value. That is going to be a very difficult task.

However, I do not believe that we are going to accomplish too much with this type of legislation. We should have some sort of a floor. We should have had a floor years ago, but we never had the guts to do it. Some day I believe the time will come when we are going to have to place a floor as to the minimum amount the assessment can be on a certain type property.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz :

YEAS—29

| | | | |
|----------|----------------|------------|-------------------|
| Berger, | Keller, | Propert, | Wade, |
| Blass, | Kessler, | Seyler, | Wagner, |
| Chapman, | Koprivier, Jr. | Shafer, | Walker, |
| Confair, | Kromer, | Scott, | Watkins, |
| Ehrgood, | Madigan, | Stevenson, | Whalley, |
| Elliott, | Mallery, | Taylor, | Wolfe, |
| Flack, | Pechan, | Van Sant, | Fleming, |
| Harney, | | | Presiding Officer |

NAYS—15

| | | | |
|---------|-----------|---------|----------|
| Hays, | McCreesh, | Murray, | Silvert, |
| Kalman, | McGinnis, | Ripp, | Stiefel, |
| Lane, | Miller, | Rooney, | Weiner, |
| Mahady, | Mullin, | Ruth, | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 1597—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WATKINS. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection?

Mr. LANE. Mr. President, I will not object to the unanimous consent, but I feel, in all afirness, I should have a copy of the amendments before we act on them.

The PRESIDING OFFICER. A copy of the amendments will be sent over as soon as they are offered.

Mr. LANE. Mr. President, I am not objecting to the offering of the amendments, but I would like to have a copy of them and have an opportunity to review them for a short period of time.

Mr. PECHAN. Mr. President, while Senator Lane is reviewing the amendments, could we go on with the Colendar and put this bill over in order, temporally?

Mr. WATKINS. Mr. President, with that understanding, I will withdraw my request to offer amendments at this time.

Without objection the bill was passed over in its order temporally at the request of Mr. PECHAN.

HB 1616—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MAHADY. Mr. President, does anyone in this Body know how much money this bill will take?

The PRESIDING OFFICER. Senator Mahady has directed a question which I believe neither of the Floor Leaders has heard. Does anyone know how much this bill will cost?

Mr. BERGER. Mr. President, was the interrogation directed as a shot at the flock?

I cannot answer, specifically, how much this legislation will cost. However, I will say that it was desired by the Administration and, I assume, they have made adequate provision in their budget to take care of the cost.

Mr. MAHADY. That is not my question, Mr. President.

How much is provided in the budget for this bill?

Mr. BERGER. Mr. President, I am sure that the gentleman has just as much access to the budget as I have.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

| | | | |
|----------|----------------|------------|-------------------|
| Berger, | Keller, | Pechan, | Wade, |
| Blass, | Kessler, | Propert, | Wagner, |
| Chapman, | Koprivier, Jr. | Scott, | Walker, |
| Confair, | Kromer, | Shafer, | Watkins, |
| Ehrgood, | Lane, | Stevenson, | Whalley, |
| Elliott, | Madigan, | Taylor, | Wolfe, |
| Flack, | Mallery, | Van Sant, | Fleming, |
| Harney, | | | Presiding Officer |

NAYS—21

Barr,
Camel,
DiSilvestro,
Donolow,
Hays,
Kalman,

Mahady,
McCreesh,
McGinnis,
McMenamin,
Miller,

Mullin,
Murray,
Ripp,
Rooney,
Ruth,

Sarraf,
Seyler,
Silver,
Stiefel,
Weiner,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I ask the gentleman whether, sometime before 10:00 o'clock, I informed him that I would not subject the Members of this Senate to another night of late hours, that two of our people were already sick and that when 11:00 o'clock came, I intended to make a motion to adjourn this Senate. Is that correct?

Mr. WEINER. Mr. President, I was so informed.

Mr. BERGER. Mr. President, I ask the gentleman whether or not he assured me that there would be no time consumed beyond a possible five minutes in discussing any of the bills on the Calendar.

Mr. WEINER. In answer to that question, Mr. President, I advised the gentleman that I would only speak on any one of these Senate Bills. To give a complete answer to the question, however, I did not realize that the people on his side would take up this problem dealing with Philadelphia. I could do nothing except answer those people.

REPORT FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, rereported, as amended, **HB 2386**.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's Session.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. MAHADY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. MAHADY. Mr. President, the time for convening this evening was set for 8:30 o'clock. The time of convening was actually 10:00 o'clock. Therefore, I do not think that the blame should be placed upon this side of the aisle for the late convocation of this Session.

Mr. BERGER. Mr. President, I think that possibly there was a default on that score on both sides. Nevertheless, the reason I have assigned for this is exactly as I said before. I think it is unfair and unsafe to subject the Members

of this Senate to the hours which we have been required to keep.

Therefore, Mr. President, I now make a motion that this Senate do adjourn until Thursday, December 17—

The PRESIDING OFFICER. Senator Mahady rose to a point of order. There is nothing, at this moment, before the Senate except the motion relating to the reading of bills for the first time.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

The bills were as follows: **HB 1142, 1388, 1584, 2117, 2118, 2119, 2139, 2459 and 2463.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

PARLIAMENTARY INQUIRY

Mr. WATKINS. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The gentleman will state it.

Mr. WATKINS. Mr. President, I would like to call to the attention of the Chair and also to the Majority Leader—I do not think that he was presiding—that on House Bill No. 1597, on page 4, of today's Calendar, a motion was made to have this bill go over in order, temporarily. These amendments to this bill are important.

I think that I am entitled to present these amendments. It was said by the Majority Leader that this bill would go over in order, temporarily.

The PRESIDING OFFICER. The Chair would inform the gentleman that the amendments were never offered. The bill went over, temporarily. Senator Berger then announced to the Senate, after an interrogation which he made of Senator Weiner, that it had been his intention, and he had so notified the minority side, that when the hour of 11:00 o'clock arrived, he was going to make a motion to adjourn because of the danger of impairing the health of the Members of the Senate by keeping them in Session until too late an hour.

I can only call to the attention of the gentleman that when Senator Berger makes a motion to adjourn, there is nothing in order except the consideration of that motion.

Mr. WATKINS. Mr. President, I have heard no second to that motion. There has been a conversation between the Minority Leader and the Majority Leader, and I see the Minority Leader pointing to himself. I would like to ask the Chair whether there was a second to that motion.

The PRESIDING OFFICER. No, there was not.

Mr. WATKINS. Therefore, Mr. President, I ask for unanimous consent at this time to offer amendments.—

The PRESIDING OFFICER. The Chair would suggest to the gentleman, if he wants to do it correctly, that he now call up the bill which was passed over in order, temporarily.

Mr. WATKINS. I think that would be fair, Mr. President.

Therefore, Mr. President, I will call up House Bill No. 1597, Printer's No. 2085, which was passed over in order, temporarily.

Mr. President, I request that I receive unanimous consent to present amendments at this time.

INTERROGATION

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Watkins.

The PRESIDING OFFICER. Will the gentleman from Delaware, Mr. Watkins, permit himself to be interrogated?

Mr. WATKINS. I will, Mr. President.

Mr. LANE. Senator Watkins, I do not want to be dragging my feet here but, at the same time, I do not want to be tripped either.

I will not object to your unanimous consent to offer these amendments. However, in the event they are adopted, I expect that this bill will go over in order, as amended. In that way, I can have a good look at it. I think you are taking the hide off of the back again and that is what I am afraid of.

Mr. WATKINS. Mr. President. I would like to say to the gentleman that I do not know anything about taking the hide off of anything. I do not know what he means when he says that. However, I think that the gentleman is certainly in order in asking that this bill go over in order. Had he not objected and these amendments had been acted upon, I assure the gentleman that I would have requested that the bill go over in its order.

Mr. LANE. Mr. President, may I inform the gentleman that I have not objected? I merely want it understood that I want the opportunity, tomorrow morning, to look over this bill with a microscope. When amendments are offered by Senator Watkins and Senator Kessler, then I am generally suspicious.

Mr. WATKINS. Mr. President, I thought that the word "suspicion" was very ably described last night by Senator McGinnis.

Mr. LANE. Mr. President, may I advise the gentleman that I was brainwashed last night by the gentleman from Lebanon, Senator Ehrgood.

HB 1597 CALLED UP

HB 1597—Without objection, the bill, which previously

went over in its order, temporarily was called up, from page 4, of the Third Reading Calendar, by Mr. WATKINS.

BILL ON THIRD READING

HB 1597—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WATKINS, by unanimous consent, offered the following amendments:

Amend Sec. 3, page 6, line 6, by inserting after "3": "Subclause (2) of clause (k) and." Amend Sec. 3, page 6, line 7, by striking out "IS" and inserting: "are." Amend Sec. 3 (Sec. 203), page 6, by inserting between lines 10 and 11:

"(k) * * *

"(2) Sale at retail of tangible personal property or services used or consumed in building, rebuilding, repairing and making additions to or replacements in and upon vessels designed for commercial use of registered tonnage of fifty tons or more upon special order of the purchaser, or when rebuilt, repaired or enlarged, or when replacements are made upon order of or for the account of the owner."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WATKINS.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Thursday, December 17, 1959, at 12:00 o'clock noon.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:12 o'clock p.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, December 16, 1959.

The House met at 1:00 p.m. E.S.T.

The SPEAKER (Hiram G. Andrews) in the Chair

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

As the shepherds fell prostrate before Thy honor and majesty, we come to Thee in this hour bowing in adoration before Thee and Thy glory. Touch these servants of Thine with the humility of those watchers on the hills outside of Bethlehem. Arouse in them the curiosity which led those men of the hills to come and see for themselves the truths of Thy Word. And inspire them as Thou didst fill those nomads of old with the determination to proclaim that which they had seen and heard. This we ask with the hope that this Christmas and the days which lie ahead may present the true meaning of the Christ Child to all mankind. In His name, we pray. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, November 16, Tuesday, November 17, Wednesday, November 18, Thursday, November 19 and Friday, November 20, 1959? If not, and without objection, the Journal is approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, December 15, 1959 will be postponed until printed.

The Chair hears none.

The SPEAKER. The Chair requests the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 900, entitled:

An Act amending the act of June 24, 1937 (P. L. 1017) entitled "County Institution District Law" including neglected children within the powers and duties of the authorities.

And has appointed Messrs. Pechan, Ehrgood and Silvert a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

Mrs. DONAHUE. Mr. Speaker, I wish to be excused from further duty on the Conference Committee on House Bill 900.

The SPEAKER pro tempore. The lady from Clinton, Mrs. Donahue, asks to be excused as a conferee on House Bill No. 900. Without objection, the lady will be excused.

Mr. TOMPKINS. Mr. Speaker, we ask that the lady

from Lehigh, Mrs. Markley, be submitted as a conferee in place of Mrs. Donahue.

The SPEAKER pro tempore. Without objection, the lady from Lehigh, Mrs. Markley, will be substituted as a member of the Conference Committee.

This has been approved by the Speaker of the House. The Chair hears no objection.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HAMILTON asked and obtained permission for the Committee on Insurance to meet during the session of the House.

Mr. DOUGHERTY asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1472, entitled:

An Act authorizing the Department of Property and Supplies with approval of the Governor to grant an easement over certain land situate in the City of Philadelphia County of Philadelphia.

And has appointed Messrs. Propert, Berger and Weiner a committee of conference to confer with a similar committee of the House of Representatives, (already appointed on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2431, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" further providing for credit for time spend by an employee of the Commonwealth as an employee of the United States Government.

And has appointed Messrs. Wade, Propert and Mullin a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. TAYLOR for today.

Mrs. Varallo for Mr. YATRON for today because of official business.

Mrs. Varallo for Mr. CAPITOLO for today because of illness in the family.

Mr. Tompkins for Mr. FOX for the remainder of the week.

Mr. Tompkins for Mr. BOWMAN for today.
 Mr. Tompkins for Mr. DENGLER for today.
 Mr. Tompkins for Mr. GOODRICH for today.

The SPEAKER pro tempore. The Chair has had a lot of inquiries as to who Santa Claus was. The Chair was tempted to recognize the gentleman from Fayette, Mr. Trusio, as Santa Klaus. Not to disclose any secrets, you all know now who it was.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 275.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings and making an appropriation.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1241, entitled:

A Joint Resolution proposing an amendment to article two section four of the Constitution of the Commonwealth of Pennsylvania making the General Assembly a continuing body and providing for the calling of special sessions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary for the purpose of further study.

On the question,

Will the House agree to the motion?

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House, I speak by your leave and I appreciate your courtesy.

In some particulars I ought to speak in terms of humble apology. There is a sector of my functioning as an officer of this House in which I have been more the captive than the master of the office I hold. In our parliamentary procedure we have no monarch who has a legal status. Nevertheless, in the final showdown we do have a king; none other than King Caucus. And, before this king, Floor Leaders, Speakers of the House and Governors, upon occasion, must needs bow. Without the instrumentality that I have termed King Caucus, parliamentary procedure would become a chaos.

I have often differed with my party caucus but have, nevertheless, voted in agreement with party caucus decisions because it was incumbent and a part of parliamentary protocol that I should do so. I have deemed it

incompatible with legislative protocol for the Speaker, as I have pointed out, to challenge King Caucus unless it became a matter of conscience, and so I voted, as I believe every Member of this House on some occasion or other has voted, for measures which to them were objectionable, bowing to a majority decision. Upon occasions I have voted for measures that I deemed objectionable as a result of a Floor Leader's personal appeal, for he has needed my vote, and when he needed it, he always had it.

The pending measure now on its way back to Committee, and back to Committee it must go by reason of agreement, apparently has now very few friends on the floor of this House. The Majority Leader opposes, the wing-footed Mercury who conveys messages from the High Command which he also ably serves says he hopes, we are opposed to it. Now it is done with. The editorial "we" is all inclusive. Once upon a time a caustic critic said that "we" included the editor and his pet tapeworm. But that is not true in a case of administrative "we's."

I do not question at all the right of all and sundry to oppose whatsoever type of legislation they deem objectionable. The administration has had and now has the power to defeat the pending measure at any stage of its possible legislative career, if the measure were put to a vote. The Majority Leader has the power to defeat it. If I were not so sincerely his friend. I would envy the Majority Leader his ability to make friends and influence people. Defeat a measure, certainly, if that is the wish of the Majority, but there is a difference between defeating a measure that is of concern to administrators and moving to prevent the discussion of a measure, a discussion, mind you, of proposals that are not germane in the field of administration but which, rather, involve the basic philosophy of our government. And on that the Chair, had the Chair been free to act, free to do his own will, follow his own path, just yesterday would have joined with those who were voting to discharge a Committee.

It has always been my confident belief, for these 30 years, that where there is a preponderance of sentiment, a very considerable number of Legislators who believe in a certain measure it should be given a hearing, for the measure should be brought out for discussion, for consideration, and not blanketed in committee. It is my belief that measures such as the bill we have before us, which must go back to Committee by reason of binding commitments, is the sort of a measure involving the philosophy of government and deserves consideration, and so I am willingly agreeing to send this bill back to committee because it is the kind of a measure which can be presented, and will be presented, for the consideration of this House when it meets in the 1960 session.

I want to add here a matter perhaps not germane to the subject immediately before the House, but we cannot base legislative procedure in either chamber upon the theory that a governor must needs have a legislative interim during which to make interim appointments. If we on the other hand, expect a governor to be mindful of the rights and prerogatives of the General Assembly, we will have to realize that we must be equally cognizant of the rights of the executive. We should have the unimpeded right to legislate without being under any executive club, and the executive should have the un-

questioned right to name those agents through whom he desires to do his administering, unless they are indictable on moral or criminal charges.

I am proud of this House. It's an ancient institution; it will outlive us all. And while I am proud of this House, I am not proud of this Session! The common sense of the people indicts us.

We have taken eleven months and are still endeavoring to enact a hasty pudding legislative program that could and should have been enacted in eleven weeks, if we had been prepared and if we had been in a position to compel, not only His Excellency, the Governor, but the various departments of our state government to be prepared. We were not.

And so I envision, and I hope some day a majority in this House will envision, a General Assembly with continuing power and jurisdiction; a General Assembly not always in session, but always in being. And why? Because just as the many important decisions of the Federal Congress are arrived at as a result of hearings or deliberations when the Congress is not in session, so, too, in our case, many wise decisions could be arrived at if we had our hearings when we were not here busy with the details of legislation.

Our program of hearings have been a travesty and a shame, a disgrace to the legislative process. And because our hearings have been perfunctory, the people back home have not been heard. What we have in mind has not been publicized and the things of moment that we have done during this Session, humane legislation, few people know of and they remember only our errors.

Now the bill which goes back to committee and which will be resurrected come 1960, would create a situation whereby when we were not legislating we would be and could be in a position to activate committees to study the problems that face our Commonwealth and hold hearings at which the people would be given an actual opportunity to be heard.

We have reached a lamentable stage if the reason why we cannot be a continuing body with our Committees having continuing power is because if we do not do it the Governor will not have an opportunity to make interim appointments.

I cannot remove that stain upon the course of proper procedure; that must be done in other fields. But I think we over here should agree that just as we expect, and will demand that the Executive and his department respect our legislative rights, so, too, we will hew to the line and see that we do not invade the proper prerogative of His Excellency, the Governor, nor his department to administrate.

When we create a decision, and any group in this House, any group in any other house, can, by inaction, determine who is to function in particular situations, we have struck a death blow to real functioning democracy.

And so, I kiss this Senate bill a temporary farewell. We shall meet again on another day and in another arena.

PERMISSION TO ADDRESS THE HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, insofar as the statement of the gentleman from Cambria, the Speaker, Mr. Andrews, was germane to the contents of this bill, I want to wholeheartedly

endorse the views, philosophy and statements which he made. I do not care to enter into the question of his relationship to the Members of his own party for that is his own personal prerogative.

During the year 1958 a committee known as the Constitutional Revision Commission met numerous times, both as a committee of the whole and as a sub-committee studying various phases of our Constitution to recommend future action. I was chairman of the Legislative Sub-Committee of that Commission. We had numerous people come before us, including Members of the General Assembly, in an attempt to see what we could do about this situation of annual sessions.

From my experience as a Member of this House I knew some of the difficulties which we had faced in the past. I knew some of the limitations which have been placed upon us by court interpretation. We made every effort to devise a scheme whereby we could cut a number of these Gordian knots and thereby free our hands.

Now we must remember, going back into history, that at the time this clause of the Constitution was written we were functioning as a government on budgets of \$25 million per biennium, believe it or not. We were not functioning on budgets of \$2 billion, but still subject to the same limitations and restraints that are in the Constitution.

This Constitutional provision as written in this bill, as amended, provides three things. Number one, that we shall have annual sessions of the General Assembly without limitation; number two, as a continuing body we would break that judicial restraint which has said that when we adjourn sine die all standing committees of the General Assembly die with it, they have no further function and power, they have no further use. Furthermore, when we adjourn sine die, to all practical purposes we are a benevolent dictatorship in this Commonwealth, we are completely at the mercy of the Executive. The people of this Commonwealth have no method by which they can voice themselves once we adjourn sine die, because we cease to exist as a Legislature and General Assembly even though we do have certain committee assignments in auxiliary agencies which we have created. Number three, we grant to ourselves the right to call ourselves into special session without the necessity of the Governor's call. With those three elements we become an independent, free, coordinate branch of the government, which today we are not because of these limitations which are upon us.

I must side with the Speaker in saying that as our government grows, as our problems increase, we will need to command the services of our committees in interim time that they may study, investigate, air and do those things which are the proper function of a General Assembly in order that we may properly represent the people who have sent us down here on their behalf.

This is the form which the Constitutional Revision Commission as a whole unanimously opposed. This is the particular Constitutional amendment that I would have much favored going to a vote of the people. I say to you that if we are merely to be the handmaiden and the hand tool of other governmental agencies, then keep ourselves in the same position we are now, but if we are to be the servants of the people for whom we are elected to serve, then I say to you that I will join with the Speaker in merely kissing this a temporary goodbye, to meet it with a smiling face on a brighter day.

Mr. A. W. JOHNSON. I just want to clear up a point and I do not know whether Mr. Tompkins did. I know they both said they are kissing this bill goodbye, to meet on another day. I take it they mean the 1960 Session. This being a resolution and not a law, within the narrow limitations of the constitutional amendment, I take it, this type of legislation would be perfectly proper in the 1960 Session. Now is that true and may I interrogate Mr. Tompkins? Have you given that any consideration?

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. Mr. Speaker, I understand that matters relating to constitutional amendment can be brought up in the 1960 Session. It is not legislation. It is not something that relates to those matters.

Mr. A. W. JOHNSON. That being the case, I can see no objection to recommittal and we will ask the Members on our side to go along with recommittal of the resolution.

Mr. McCANN. Mr. Speaker, I would only verify that that the constitutional resolution can be considered at any time in the next Session, which was exactly what Mr. Tompkins said and confirmed for Mr. Johnson.

The SPEAKER pro tempore. The gentleman from Forest, Mr. Davis, has filed a statement with the Chair as to his position on this bill and has asked that it be spread upon the records of the House. Without objection the statement will be so recorded.

The following statement was presented by Mr. DAVIS.

I request consent to register my deep regret that Senate Bill No. 1241, Printer's No. 1656, does not apparently command the support to advance it to third reading and to eventual enactment.

To my mind this measure, as now phrased, is a highly constructive measure, and I hope that the day will come when the provisions for a continuing session philosophy will finally prevail.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. We would like to outline our action here today, if we may.

We are going to request that the Republican Membership take to their caucus this question: Beginning today, which is Wednesday, as the Senate amends House Bills which have to come back to the House for either concurrence or nonconcurrence or go to a conference committee, the practice of placing them on the calendar be disposed of.

As the bills arrive here, the respective groups, Democrat and Republican, would then go to their caucuses and caucus on those bills which the Senate has amended and arrive at their decision so they could be acted on either favorably or unfavorably, according to the wishes of the caucus.

The purpose of this is, of course, that as the bills arrive here today they would be placed on the calendar for tomorrow, so forth and so on. This will save one complete legislative day in our operation. We ask that you consider this and we ask that you do vote favorably on it because the idea we have given is that you would

caucus from the floor each time. For example, tonight if the Senate amends six bills and sends them over, those six bills would appear the following day, and each day thereafter you would get an opportunity to caucus before they would appear on the calendar.

Mr. Speaker, we hope we will have an answer on some important legislation that is on the Senate calendar, which somehow has us worried. We do not quite have the answer from last night's activity. We speak of the General State Authority bill, the highway bills, and I guess they have to move very carefully or we will not be finished by Friday. We have to follow each move on the calendar on the legislative day. I hope today Mr. Johnson will be able to get the answers on those important pieces of legislation.

With that, Mr. Speaker, we are going to cover all the bills on final passage, bills on third reading and all the concurrences in our respective caucuses, and I will ask permission at some point here to hold a caucus, but we would like to have a roll call of this House before we go to caucus. At the completion of the roll call, I would like to ask permission for caucuses at a time that is satisfactory to both Republicans and Democrats. I will ask for a recess for one hour.

REPORTS FROM COMMITTEE

Mr. PARLANTE from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 9, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" prohibiting competitive racing on highways and fixing penalties.

Mr. STIMMEL from the Committee on Insurance, reported as amended, Senate Bill No. 1066, entitled:

An Act authorizing the recapitalization of limited life insurance companies and limiting the amounts for which such companies may issue policies.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 9, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" prohibiting competitive racing on highways and fixing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 652.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921" prohibiting the use by any insurance company of a name too closely resembling that of another insurance company.

HOUSE BILL No. 1904.

An Act amending the "Local Tax Collection Law" approved May 25, 1945 (P. L. 1050) defining the word "taxes" to include penalties and interest.

HOUSE BILL No. 2317.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell 59.514 acres more or less of land situate in West Chillisquaque Township Northumberland County.

HOUSE BILL No. 2327.

An Act amending the act of May 21, 1943 (P. L. 328) entitled "An act authorizing the Secretary of Highways * * * to lay out * * * and maintain flight strips and roads to the sites of war activities * * * and making an appropriation" further regulating payment of property damages by the Department of Highway.

HOUSE BILL No. 2440.

An Act amending the act of May 22, 1933 (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" providing that every juror shall receive mileage.

HOUSE BILL No. 2441.

An Act amending the act of July 21, 1941 (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" providing that all witnesses be paid mileage.

HOUSE BILL No. 2457.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the residence qualifications of electors.

SENATE BILL No. 275.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the compensation of the county board of school directors for attendance at meetings and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. In a recent conference, so that everyone will know our plans, this House will convene tomorrow at 12:00 noon. We will probably go home Saturday.

RECESS

Mr. McCANN. Mr. Speaker, I move that the House take a recess for one hour for the purpose of holding Democrat and Republican caucuses.

Mr. A. W. JOHNSON. Mr. Speaker, I second the motion. On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. McCANN and A. W. JOHNSON and were as follows:

YEAS—164

| | | | |
|-------------|-------------------|----------------|------------|
| Agnew, | Frascella, | McCandless, | Riley, |
| Anderson, | Fulmer, | McCann, | Rovanssek, |
| Ariene, | Galley, | McCormack, | Royer, |
| Ashton, | Gallagher, | McDonald, | Rudisill, |
| Auker, | Garlock, | McInroy, | Sakulsky, |
| Balthaser, | Gelfand, | McKeever, | Scarcelli, |
| Barton, | Gibb, | McLaughlin, | Schaaf, |
| Blair, | Goldstein, J. H., | Machmer, | Schwartz, |
| Boies, | Goldstein, M. H., | Mahan, | Seltzer, |
| Bonner, | Gramlich, | Markley, | Sherman, |
| Boris, | Guthrie, | Maxwell, | Shupnik, |
| Bower, | Hamilton, | Meholchick, | Silverman, |
| Branca, | Haudenshield, | Mihm, | Snare, |
| Brenninger, | Heavey, | Miller, B. Z., | Snider, |
| Breth, | Helm, | Miller, H. G., | Stank, |
| Brown, | Henzel, | Mills, | Steckel, |

| | | | |
|------------|-----------------|--------------------|------------|
| Buchanan, | Hocker, | Muldowney, | Stimmel, |
| Burns, | Holt, | Munley, | Stone, |
| Capano, | Horst, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Irvls, | Murphy, P. J., | Strausser, |
| Comer, | Jim, | Murray, H. P., | Stroup, |
| Ourwood, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Davis, | Johnson, R., | Musto, | Thompson, |
| Dennis, | Jones, F. R., | Naugle, | Tompkins, |
| Dennison, | Kamyk, | Needham, | Trusio, |
| Devlin, | Kelser, | O'Donnell, J. A., | Varallo, |
| Donahue, | Kernaghan, | Ogilvie, | Verona, |
| Donaldson, | Kessler, | O'Neill, | Wall, |
| Dougherty, | Knecht, | Parlante, | Walsh, |
| Edwards, | Kooker, | Pashley, | Wargo, |
| Eilberg, | Kovolenko, | Perry, H. H., | Weldner, |
| Eshback, | Kubitsky, | Perry, P. E., | Welsh, |
| Eshleman, | Lamb, | Petrosky, | Wescott, |
| Ewing, | Lee, K. B., | Polaski, | Wilt, |
| Farabaugh, | Leonard, | Polen, | Wood, |
| Fetterolf, | Light, | Prendergast, | Worley, |
| Filo, | Limper, | Price, | Wynd, |
| Fineman, | Lippincott, | Pursley, | Yetter, |
| Floyd, | Lopresti, | Reisman, | Zimmerman, |
| Flynn, | Luigard, | Renwick, | |
| Foerster, | Lutty, | Rigby, | Andrews, |
| Frank, | | | Speaker |

NAYS—15

| | | | |
|------------|---------|------------------|-----------------------|
| Bell, | Kee, | O'Donnell, J. P. | Whittaker, |
| Cianfrani, | Korns, | Odorisio, | Williams, A. D., Jr., |
| Holliday, | Mullen, | Stewart, | Williams, E. S., |
| Isaacs, | Nelson, | Varner, | |

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Stevens, |
| Capitolo, | Goodrich, | Merry, | Taylor, |
| Clarke, | Heffner, | Monroe, | Ujbal, |
| Cooper, | Jenkins, | Moran, | Wheeler, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willard, |
| Dengler, | Jump, | O'Dell, | Willaredt, |
| Down, | Kornick, | Reidenbach, | Yatron, |
| Fox, | Lee, A. M., | Schuster, | |

So the question was determined in the affirmative and the motion was agreed to.

RECESS

The SPEAKER pro tempore. The Chair declares a recess for one hour.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

SENATE MESSAGE

RESOLUTION RECALLING HOUSE BILL NO. 2430.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 16, 1959.

Resolved, (the House of Representatives concurring), that House Bill No. 2430, Printer's No. 1871 entitled "An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" re-defining documents to exclude certain repossessions following defaults in purchase obligations" be returned to the Senate for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 725.

An Act providing for the creation and operation of the Juvenile Court Judges' Commission in the Department of Justice prescribing its powers and duties and making an appropriation.

SENATE BILL No. 1106.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the limit on retail licenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION
RECALLING HOUSE BILL No. 1572
FROM GOVERNOR

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, December 16, 1959
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1572, Printer's No. 1825, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE

RECONSIDERATION OF VOTE

Mr. DEVLIN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McLAUGHLIN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Devlin vote on the final passage of this bill?

Mr. DEVLIN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. McLaughlin vote on the final passage of this bill?

Mr. McLAUGHLIN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DEVLIN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DEVLIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last two lines of Title, by striking out "and the retirement allowance"

Amend Sec. 1, page 2, line 1, by striking out "Subsection (c) of section 1712 and section" and inserting "Section"

Amend Sec. 1, page 2, line 3, by striking out "are" and inserting "is"

Amend Sec. 1 (Sec. 1712), page 2, lines 4 to 19; page 3, lines 1 to 10, by striking out all of said line"

Amend Sec. 1 (Sec. 1715), page 6, line 8, by striking out "make"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMITTEE DISCHARGED ON HOUSE BILL
No. 2361

Mr. MIHM. Mr. Speaker, I move that the Conference Committee on the part of the House on House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employees' Retirement Code of 1959" further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

be discharged from further consideration of this bill.

The motion was agreed to.

Mr. MIHM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE DISCHARGED ON HOUSE BILL
No. 2431

Mr. MIHM. Mr. Speaker, I move that the Conference Committee on the part of the House on House Bill No. 2431, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employees' Retirement Code of 1959" further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

be discharged from further consideration of this bill.

The motion was agreed to.

Mr. MIHM. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON CONCURRENCE IN SENATE
AMENDMENTS

Mr. McCANN. Mr. Speaker, I call up out of order House Bill No. 1971 on page 5 of today's calendar, bills on concurrence in Senate amendments.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR
CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1971.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.
The Clerk read the amendments as follows:

Amend Section 1, page 5, line 9, by striking out at the beginning of the line the words "primary immediately preceding the".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TOMPKINS. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

In doing so I want to call to the attention of the Members the fact that in voting on this request you are not voting on the bill itself as a whole but merely on the amendments inserted by the Senate.

Mr. McCANN. Mr. Speaker, on House Bill 1971, Printer's No. 2078, the request by the gentleman from Cameron, Mr. Tompkins, to concur, I rise to ask our membership to nonconcur, or vote "No" on the request. When they go to a conference committee you are in the same position and no further than at the present time, and when you retreat, should you have to, you would be in the same position as you are now. I ask that you vote "No" and a record vote be taken.

PARLIAMENTARY INQUIRY

Mr. McCORMACK. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. In the event there is a tie vote on this, does the request to concur fail?

The SPEAKER. It takes 106 votes to concur. Anything less than 106 votes is nonconcurrence.

Mr. McCORMACK. Thank you.

PARLIAMENTARY INQUIRY

Mr. TOMPKINS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. There are those who are questioning the statement which I made from this microphone a few minutes ago to the effect that the vote on this request would not be a vote on the bill itself, but merely on the amendments inserted by the Senate.

May we have a ruling from the Chair as to what the force of our vote would be on this motion?

The SPEAKER. The only question before the House is on the amendments of the Senate. The vote is designed to reconcile the difference between the two Houses regarding the amendments to the bill. It has no reference to the bill as a whole. One hundred and six votes in the House passes the bill with amendments.

PARLIAMENTARY INQUIRY

Mr. BELL. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELL. Is it not correct that a vote to concur is a vote in favor of the bill as amended?

The SPEAKER. That is correct.

Mr. BELL. Thank you, sir.

The SPEAKER. Is anyone else in doubt as to the purpose of the roll call?

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—20

| | | | |
|---------|-------------------|---------------|-----------------------|
| Agnew, | Donaldson, | Haudenshield, | Rigby, |
| Ashton, | Ewing, | Isaacs, | Thompson, |
| Barton, | Fetterolf, | Johnson, R., | Tompkins, |
| Bell, | Gibb, | Korna, | Williams, A. D., Jr., |
| Brown, | Goldstein, M. H., | Lippincott, | Wilt, |

NAYS—147

| | | | |
|-------------|-------------------|--------------------|------------------|
| Anderson, | Goldstein, J. H., | McLaughlin, | Royer, |
| Arlene, | Gramlich, | Machmer, | Rudisill, |
| Auker, | Guthrie, | Mahan, | Sakulsky, |
| Balthaser, | Hamilton, | Markley, | Scarcell, |
| Blair, | Heavey, | Meholchick, | Schaaf, |
| Boles, | Helm, | Mihm, | Schwartz, |
| Bonner, | Henzel, | Miller, B. Z., * | Seltzer, |
| Bower, | Hocker, | Miller, H. G., | Sherman, |
| Branca, | Holliday, | Mills, | Shupnik, |
| Brenninger, | Holt, | Muldowney, | Silverman, |
| Buchanan, | Horst, | Mullen, | Snare, |
| Burns, | Irvis, | Munley, | Snider, |
| Capano, | Jim, | Murphy, A. J., Jr. | Stank, |
| Cianfrani, | Johnson, A. W., | Murphy, P. J., | Steckel, |
| Cioffi, | Jones, F. R., | Murray, H. P., | Stewart, |
| Comer, | Kamyk, | Murray, J. J., | Stimmel, |
| Curwood, | Kee, | Musto, | Stone, |
| Davis, | Kelser, | Needham, | Stoner, |
| Dennis, | Kernaghan, | Nelson, | Stroup, |
| Dennison, | Kessler, | O'Donnell, J. A., | Sullivan, |
| Devlin, | Kooker, | O'Donnell, J. P. | Trusio, |
| Dougherty, | Kovolenko, | Odorisio, | Varallo, |
| Edwards, | Kubitsky, | Ogilvie, | Varner, |
| Eshback, | Lamb, | O'Neil, | Verona, |
| Eshleman, | Lee, K. B., | Parlante, | Wall, |
| Farabaugh, | Leonard, | Pashley, | Walsh, |
| Fillo, | Light, | Perry, H. H., | Wargo, |
| Fineman, | Limper, | Perry, P. E., | Weidner, |
| Floyd, | Lopresti, | Petrosky, | Welsh, |
| Flynn, | Luigard, | Polaski, | Whittaker, |
| Foster, | Lutty, | Polen, | Williams, E. S., |
| Frank, | McCandless, | Prendergast, | Wood, |

Frascella,
Fulmer,
Gallagher,
Garlock,
Gelfand,

McCann,
McCormack,
McDonald,
McInroy,
McKeever,

Price,
Pursley,
Renwick,
Riley,
Rovanssek,

Worley,
Yetter,
Zimmerman,
Andrews,
Speaker

NOT VOTING—43

Boris,
Bowman,
Breth,
Capitolo,
Clarke,
Cooper,
Crossin,
Dengler,
Donahue,
Down,
Ellberg,

Fox,
Galley,
George,
Goodrich,
Heffner,
Jenkins,
Jones, T. H. W.,
Jump,
Knecht,
Kornick,
Lee, A. M.,

Magee,
Maxwell,
Merry,
Monroe,
Moran,
Murray, P. G.,
Naugle,
O'Dell,
Reibman,
Reidenbach,
Schuster,

Stevens,
Strausser,
Taylor,
Ujobal,
Wescott,
Wheeler,
Willard,
Willaredt,
Wynd,
Yatron,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2108.

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties providing for the establishment and operation of harness racing plants subject to local option imposing taxes on revenues of such plants disposing of all moneys received by the commission and all moneys collected from the taxes authorizing penalties and making appropriations.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 20, page 31, line 9, by striking out after the word "first" the words "general municipal or."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will one of the sponsors of this bill consent to be interrogated?

The SPEAKER. Which sponsor does the gentleman from Allegheny desire to interrogate? The Chair suggests that Mr. Renwick is probably the most vocal and well informed.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is it not so that there are no criminal penalties attached to this bill?

Mr. RENWICK. From what I understand of the bill, I do not think there are.

Mr. M. H. GOLDSTEIN. Is it not true that if a person files an affidavit, he is the beneficial owner of the stock, whereas it shows in fact he is not the owner but is merely

a front for the true owner, there is no criminal penalty that can be attached to that misstatement?

Mr. RENWICK. I am sorry, I do not think I could answer that question.

Mr. M. H. GOLDSTEIN. Will you read Section 10 of the bill? Does not Section 10 provide for fines and penalties?

Mr. RENWICK. I understand if he files a false affidavit he commits perjury, yes.

Mr. M. H. GOLDSTEIN. Now, Mr. Speaker, is it not true that where an Act is passed—

Do you want to have an attorney on the other side substitute for you?

The SPEAKER. The Chair would suggest that since the gentleman from Allegheny is asking questions of a legal character, the gentleman from Elk should be permitted to have the benefit of counsel.

POINT OF ORDER

Mr. McCORMACK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. I want to raise the point of order, Mr. Speaker, that we are voting to concur in the Senate amendments and unless the question asked by the gentleman from Allegheny, Mr. Goldstein, pertain to the amendments put in by the Senate he is out of order.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I will ask the same privilege requested by the Speaker earlier in the Session today, for unanimous consent to interrogate as to the merits of the bill. I think this bill is of such great importance that technicalities should be laid aside.

The SPEAKER. The Chair would be inclined to believe that the whole proposition was before the House.

But the Chair says the gentleman from Elk is entitled to legal counsel.

Mr. M. H. GOLDSTEIN. I would be glad to interrogate the Philadelphia lawyer, Mr. McCormack, concerning this Section 10.

Mr. McCORMACK. Mr. Speaker, would the gentleman repeat the question, please?

Mr. M. H. GOLDSTEIN. I would suggest that Mr. McCormack reads Section 10 and answers this question: Where an Act provides for a specific penalty, that penalty is the sole penalty which can be imposed by any court. I will make my question rather long.

This particular bill states the violation of any rule or regulation—

Mr. McCORMACK. Is this Section 10—what page is that?

Mr. M. H. GOLDSTEIN. Page 21. It states that for a violation of any provision of the act or any regulation thereof, the sole penalty shall be a fine of \$5,000.

Mr. McCORMACK. Now, what is your question?

Mr. M. H. GOLDSTEIN. Mr. Speaker, under the provision of this bill, an affidavit must be signed by an individual stating who is the true owner of the stock on the harness track. Now if a person makes a misstatement in his affidavit and deliberately perjures himself, is it not true that the only penalty which can be attached under this bill is a fine?

Mr. McCORMACK. You say that he could not be held for perjury or something like that?

Mr. M. A. GOLDSTEIN. That is correct.

Mr. McCORMACK. Well, what is your interpretation of that?

Mr. M. H. GOLDSTEIN. I will give you my interpretation.

If you read the cases in the Supreme Court, they state where a penalty is provided in the Act that is the sole penalty which can be attached to the particular misdeed, and therefore, if a person willfully makes a false affidavit under this bill, the sole penalty which could be attached to it would be a maximum fine of \$5,000 for each willful act.

Mr. McCORMACK. Well, I think, Mr. Speaker, that it depends upon the intention as spelled out in the bill. I think what the gentleman says with respect to Supreme Court decisions interpreting penal provisions of Acts of Assembly as against the Penal Code itself depends entirely upon the particular bill that is in question. I think there is nothing in the bill that would require these to be the sole penalties where we have a Penal Code in addition.

Mr. M. H. GOLDSTEIN. Thank you, Mr. McCormack. I am sorry to disagree with the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. I will give you an example of that. Is it not a fact that under the Unemployment Compensation benefits there are particular penal provisions? Are you aware of that? The penal provision for fraud?

Mr. M. H. GOLDSTEIN. That is correct. The Unemployment Compensation Act provides in the body thereof that for every willful misstatement the person shall be charged with misdemeanor and subject to a fine or penalty.

Mr. McCORMACK. Well, under the decision of our courts—

The SPEAKER. Will the gentleman yield?

PARLAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Boies, rise?

Mr. BOIES. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOIES. Did the Chair rule that it is in order to discuss other than the amendments in which we are to concur or nonconcur?

The SPEAKER. The Chair simply wanted to give a bit of latitude. If the gentleman raises the point specifically, the Chair will have to hold specifically that only the differences between the two Houses would be properly before the House. There are certain aspects of the bill that have been vitally changed from the point of view of some people. This amendment has reference to various other provisions, but if the specific point is made, the Chair will have to rule that only the differences between the two Houses, the differences in the amendments, are now pertinent.

Mr. BOIES. Mr. Speaker, I disagree that there has been material change, other than the change of the election date. I do not see how that will affect the contents of the bill any, and I do raise the objection specifically.

The SPEAKER. The Chair rules that both Houses have approved the other parts of the bill. The only matters now before the House are the differences between the two Houses, which are embodied in the amendments.

Mr. M. H. GOLDSTEIN. Mr. Speaker, does the Chair rule that Section 10 has not been changed in its transit from the House to the Senate?

The SPEAKER. So far as the Chair has been informed, there is only one line in the bill that has been affected by the amendments.

Mr. M. H. GOLDSTEIN. Then, Mr. Speaker, I will renew my request for unanimous consent to speak on the provisions of Section 10.

The SPEAKER. The gentleman from Allegheny asks unanimous consent to make a statement in general regarding the bill. Are there any objections to that?

Mr. BOIES. I object, Mr. Speaker.

The SPEAKER. The Chair hears objection very audibly.

The SPEAKER. The gentleman by appealing to the House can suspend the unanimous consent rule by majority vote.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I take your suggestion. I appeal to the House to abrogate this rule by majority vote.

Mr. McCORMACK. Mr. Speaker, may I make a suggestion to the Speaker?

The SPEAKER. The Chair always welcomes a suggestion from the gentleman from Philadelphia.

Mr. McCORMACK. Thank you, Mr. Speaker.

I would suggest that the gentleman from Allegheny be allowed to make a brief statement on Section 10.

The SPEAKER. The Chair would so prefer and thinks we would save time by having the gentleman make a brief statement, but if the point is raised and the gentleman appeals for unanimous consent and there is not unanimous consent, the Chair has to go by what he hears. If there is not again a protest, the Chair would grant the gentleman permission to discuss that feature of the bill. Within what limits?

Mr. M. H. GOLDSTEIN. Within two minutes, Mr. Speaker.

The SPEAKER. Take five. The Chair recognizes the gentleman from Allegheny for five minutes.

Mr. M. H. GOLDSTEIN. Mr. Speaker, Section 10 provides for no criminal penalties. The reason I think this section is dangerous is because of the history we have had in other states, especially the state of New York where frauds were discovered in connection with the operation of harness tracks. This is less than one minute and I will vote against concurrence in this bill.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. STROUP, McINROY and OGILVIE.

The roll was verified and was as follows:

YEAS—111

| | | | |
|-------------|---------------|--------------------|------------|
| Anderson, | Galley, | Markley, | Rovansek, |
| Arlene, | Gallagher, | Meholchick, | Rudisill, |
| Ashton, | Gelfand, | Mihm, | Sakulsky, |
| Balthaser, | Heavey, | Miller, B. Z., | Soarcelli, |
| Bell, | Henzel, | Mills, | Schaaf, |
| Blair, | Holt, | Muldowney, | Schwartz, |
| Boles, | Irvls, | Mullen, | Sherman, |
| Bonner, | Isaacs, | Munley, | Shupnik, |
| Branca, | Johnson, R., | Murphy, A. J., Jr. | Silverman, |
| Brenninger, | Jones, F. R., | Murphy, P. J., | Stank, |
| Brown, | Kamyk, | Murray, J. J., | Steckel, |

| | | | |
|---|--|---|---|
| Capano, Cianfrani, Cioffi, Comer, Curwood, Dennis, Devlin, Dougherty, Elberg, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, | Kee, Kernaghan, Kovolenko, Lamb, Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCann, McCormack, McDonald, McKeever, McLaughlin, Machmer, | Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odoriso, O'Neil, Parlante, Pashley, Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Reibman, Renwick, Riley, | Stewart, Stimmel, Stone, Sullivan, Taylor, Trusio, Varallo, Varner, Verona, Welsh, Wargo, Walsh, Williams, A.D., Jr., Wynd, Yetter, |
|---|--|---|---|

Andrews,
Speaker

NAYS—61

| | | | |
|--|--|--|---|
| Agnew, Auker, Barton, Bower, Buchanan, Burns, Davis, Dennison, Donaldson, Edwards, Eshback, Jim, Eshleman, Ewing, Fulmer, Garlock, Gibb, | Goldstein, J. H., Goldstein, M. H., Gramlich, Guthrie, Hamilton, Haudenschild, Helm, Hocker, Holliday, Horst, Perry, H. H., Johnson, A. W., Keiser, Kessler, Kooker, | Korns, Kubitsky, Lee, K. B., Light, McCandless, McInroy, Mahan, Miller, H. G., Murray, H. P., Ogilvie, Perry, H. H., Price, Pursley, Rigby, Royer, | Seltzer, Snare, Snider, Stoner, Stroup, Thompson, Tompkins, Wall, Weidner, Whittaker, Williams, E. S., Wilt, Wood, Worley, Zimmerman, |
|--|--|--|---|

NOT VOTING—38

| | | | |
|---|---|--|---|
| Boris, Bowman, Breth, Capitolo, Clarke, Cooper, Crossin, Dengler, Donahue, Down, | Fox, George, Goodrich, Heffner, Jenkins, Jones, T. H. W., Jump, Knecht, Kornick, Lee, A. M., | Magee, Maxwell, Merry, Monroe, Moran, Murray, P. G., Naugle, O'Dell, Reidenbach, | Schuster, Stevens, Strausser, Ujobal, Wescott, Wheeler, Willard, Willaredt, Yatron, |
|---|---|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. WALSH filed the following reasons for his vote on House Bill No. 2108:

Mr. Speaker, ladies and gentlemen of the House, when House Bill No. 2108, Printer's No. 1890 first appeared on the calendar, I was opposed to it. When it came up for final vote, I voted against this bill for the reason that I do not believe in legalized horse racing whether it be harness or otherwise. My one and only reason for voting for concurrence in the Senate amendments is that after careful consideration I am willing to allow the people of the various communities the right to vote on whether or not they desire harness racing with Pari-Mutuel betting in their community. I still want to voice my opposition to legalized harness racing as I feel it is an opening wedge for legalized gambling and I will do all in my power when this question appears on the ballot to defeat it.

BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up out of order Senate Bill No. 136 on page 2 of today's calendar, bills on third reading.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 136, entitled:

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

| | | | |
|---|--|--|--|
| Agnew, Anderson, Arlene, Ashton, Balthaser, Barton, Bell, Blair, Boles, Bonner, Boris, Bower, Branca, Breth, Brenninger, Brown, Buchanan, Burns, Capano, Cianfrani, Cioffi, Comer, Curwood, Dennis, Devlin, Donahue, Donaldson, Dougherty, Elberg, Eshback, Ewing, Farabaugh, Fetterolf, Filo, Fineman, | Floyd, Flynn, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, Gelfand, Guthrie, Hamilton, Heavey, Henzel, Holt, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Kernaghan, Kessler, Knecht, Kooker, Kovolenko, Lamb, Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, | Lutty, McCann, McCormack, McDonald, McKeever, Meholchick, Mihm, Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murphy, P. J., Murray, J. J., Musto, Naugle, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odoriso, O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Reibman, Renwick, Riley, Rovanssek, Rudisill, | Sakulsky, McLaughlin, Machmer, Markley, Scarcelli, Schaaf, Schwartz, Seltzer, Sherman, Snare, Snider, Shupnik, Silverman, Stank, Steckel, Stewart, Stimmel, Stone, Strausser, Stroup, Sullivan, Taylor, Trusio, Varallo, Varner, Verona, Wargo, Welsh, Wescott, Williams, A.D., Jr., Williams, E. S., Wynd, Yetter, Andrews, Speaker |
|---|--|--|--|

NAYS—40

| | | | |
|---|---|---|--|
| Auker, Davis, Dennison, Edwards, Eshleman, Foerster, Gibb, Goldstein, J. H., Goldstein, M. H., Gramlich, | Haudenschild, Helm, Hocker, Holliday, Horst, Keiser, Korns, Kubitsky, McCandless, McInroy, | Mahan, Miller, B. Z., Miller, H. G., Murray, H. P., Ogilvie, Price, Pursley, Rigby, Royer, Stoner, | Thompson, Tompkins, Wall, Walsh, Weidner, Whittaker, Wilt, Wood, Worley, Zimmerman, |
|---|---|---|--|

NOT VOTING—31

| | | | |
|---|--|---|---|
| Bowman, Capitolo, Clarke, Cooper, Crossin, Dengler, Down, Fox, | George, Goodrich, Heffner, Jenkins, Jones, T. H. W., Jump, Kornick, Lee, A. M., | Magee, Maxwell, Merry, Monroe, Moran, Murray, P. G., O'Dell, Reidenbach, | Schuster, Stevens, Ujobal, Wheeler, Willard, Willaredt, Yatron, |
|---|--|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 727, entitled:

An Act to provide for additional law judges of the courts of common pleas in the seventh and the thirty-first judicial districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Galley, | McCormack, | Royer, |
| Anderson, | Gallagher, | McDonald, | Rudisill, |
| Arlene, | Garlock, | McInroy, | Sakulsky, |
| Ashton, | Gelfand, | McKeever, | Scarcelli, |
| Balthaser, | Gibb, | McLaughlin, | Schaaf, |
| Barton, | Goldstein, J. H., | Machmer, | Schwartz, |
| Bell, | Guthrie, | Mahan, | Seltzer, |
| Blair, | Hamilton, | Markley, | Sherman, |
| Boles, | Haudenschild, | Meholchick, | Shupnik, |
| Bonner, | Heavey, | Mihm, | Silverman, |
| Boris, | Helm, | Miller, B. Z., | Snare, |
| Bower, | Henzel, | Mills, | Snider, |
| Branca, | Hocker, | Muldowney, | Stank, |
| Brenninger, | Holt, | Mullen, | Steckel, |
| Breth, | Irviss, | Munley, | Stewart, |
| Brown, | Isaacs, | Murphy, A. J., Jr. | Stimmel, |
| Buchanan, | Jim, | Murphy, P. J., | Stone, |
| Burns, | Johnson, A. W., | Murray, H. P., | Stoner, |
| Capano, | Johnson, R., | Murray, J. J., | Strausser, |
| Cianfrani, | Jones, F. R., | Musto, | Stroup, |
| Cioffi, | Kamyk, | Naugle, | Sullivan, |
| Comer, | Kee, | Needham, | Taylor, |
| Curwood, | Kelser, | Nelson, | Thompson, |
| Davis, | Kernaghan, | O'Donnell, J. A., | Tompkins, |
| Dennis, | Kessler, | O'Donnell, J. P. | Trusio, |
| Devlin, | Knecht, | Odorisio, | Varallo, |
| Donahue, | Kooker, | Oglvie, | Varner, |
| Donaldson, | Korns, | O'Neill, | Verona, |
| Dougherty, | Kovolenko, | Parlante, | Wall, |
| Edwards, | Kubitsky, | Pashley, | Wargo, |
| Elberg, | Lamb, | Perry, H. H., | Weldner, |
| Eshback, | Lee, K. B., | Perry, P. E., | Welsh, |
| Ewing, | Leonard, | Petrosky, | Wescott, |
| Farabaugh, | Light, | Polaski, | Whittaker, |
| Fetterolf, | Limper, | Polen, | Williams, A. D., Jr., |
| Filo, | Lippincott, | Prendergast, | Williams, E. S., |
| Fineman, | Lopresti, | Pursley, | Wynd, |
| Floyd, | Luigard, | Reibman, | Yetter, |
| Flynn, | Lutty, | Renwick, | Zimmerman, |
| Frank, | McCandless, | Riley, | |
| Frascella, | McCann, | Rovansek, | |
| Fulmer, | | | Andrews, Speaker |

NAYS—15

| | | | |
|-----------|-------------------|----------------|---------|
| Auker, | Goldstein, M. H., | Miller, H. G., | Wilt, |
| Dennison, | Gramlich, | Price, | Wood, |
| Eshleman, | Holliday, | Rigby, | Worley, |
| Foerster, | Horst, | Walsh, | |

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobai, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 794, entitled:

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Galley, | McDonald, | Rudisill, |
| Anderson, | Gallagher, | McInroy, | Sakulsky, |
| Arlene, | Garlock, | McKeever, | Scarcelli, |
| Ashton, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | Goldstein, J. H., | Machmer, | Schwartz, |
| Barton, | Guthrie, | Mahan, | Seltzer, |
| Bell, | Hamilton, | Markley, | Sherman, |
| Blair, | Haudenschild, | Meholchick, | Shupnik, |
| Boles, | Heavey, | Mihm, | Silverman, |
| Bonner, | Helm, | Miller, B. Z., | Snare, |
| Boris, | Henzel, | Mills, | Snider, |
| Bower, | Hocker, | Muldowney, | Stank, |
| Branca, | Holt, | Mullen, | Steckel, |
| Brenninger, | Irviss, | Munley, | Stewart, |
| Breth, | Isaacs, | Murphy, A. J., Jr. | Stimmel, |
| Brown, | Jim, | Murphy, P. J., | Stone, |
| Buchanan, | Johnson, A. W., | Murray, H. P., | Stoner, |
| Burns, | Johnson, R., | Murray, J. J., | Strausser, |
| Capano, | Jones, F. R., | Musto, | Stroup, |
| Cianfrani, | Kamyk, | Naugle, | Sullivan, |
| Cioffi, | Kee, | Needham, | Taylor, |
| Comer, | Kelser, | Nelson, | Thompson, |
| Curwood, | Kernaghan, | O'Donnell, J. A., | Tompkins, |
| Davis, | Kessler, | O'Donnell, J. P. | Trusio, |
| Dennis, | Knecht, | Odorisio, | Varallo, |
| Devlin, | Kooker, | Oglvie, | Varner, |
| Donahue, | Korns, | O'Neill, | Verona, |
| Donaldson, | Kovolenko, | Parlante, | Wall, |
| Dougherty, | Kubitsky, | Pashley, | Wargo, |
| Edwards, | Lamb, | Perry, H. H., | Weldner, |
| Elberg, | Lee, K. B., | Perry, P. E., | Welsh, |
| Eshback, | Leonard, | Petrosky, | Wescott, |
| Ewing, | Light, | Polaski, | Whittaker, |
| Farabaugh, | Limper, | Polen, | Williams, A. D., Jr., |
| Fetterolf, | Lippincott, | Prendergast, | Williams, E. S., |
| Filo, | Lopresti, | Pursley, | Wynd, |
| Fineman, | Luigard, | Reibman, | Yetter, |
| Floyd, | Lutty, | Renwick, | Zimmerman, |
| Flynn, | McCandless, | Riley, | |
| Frank, | McCann, | Rovansek, | |
| Frascella, | McCormack, | Royer, | Andrews, Speaker |
| Fulmer, | | | |

NAYS—17

| | | | |
|-----------|-------------------|----------------|---------|
| Auker, | Gibb, | Horst, | Walsh, |
| Dennison, | Goldstein, M. H., | Miller, H. G., | Wilt, |
| Edwards, | Gramlich, | Price, | Wood, |
| Eshleman, | Holliday, | Rigby, | Worley, |
| Foerster, | | | |

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobai, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1262, entitled:

An Act amending the act of May 23, 1956 (P. L. 1662) entitled "An act authorizing the Department of Property and Supplies to acquire by gift ninety-three acres more or less of land with buildings thereon in the City of Pittsburgh Allegheny County for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with tuberculosis and making an appropriation" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Galley, | McDonald, | Rudisill, |
| Anderson, | Gallagher, | McInroy, | Sakulsky, |
| Arlene, | Garlock, | McKeever, | Scarcelli, |
| Ashton, | Gelfand, | McLaughlin, | Schaaf, |
| Balthaser, | Gibb, | Machmer, | Schwartz, |
| Barton, | Goldstein, J. H., | Mahan, | Seltzer, |
| Bell, | Goldstein, M. H., | Markley, | Sherman, |
| Blair, | Gramlich, | Meholchick, | Shupnik, |
| Boles, | Guthrie, | Mihm, | Silverman, |
| Bonner, | Hamilton, | Miller, B. Z., | Snare, |
| Boris, | Haudenshield, | Miller, H. G., | Snider, |
| Bower, | Heavey, | Mills, | Stank, |
| Branca, | Helm, | Muldowney, | Steckel, |
| Brenninger, | Henzel, | Mullen, | Stewart, |
| Breth, | Hocker, | Munley, | Stimmel, |
| Brown, | Holliday, | Murphy, A. J., Jr. | Stone, |
| Buchanan, | Holt, | Murphy, P. J., | Stoner, |
| Burns, | Horst, | Murray, H. P., | Strausser, |
| Capano, | Irvic, | Murray, J. J., | Stroup, |
| Cianfrani, | Isaacs, | Musto, | Sullivan, |
| Cioffi, | Jim, | Naugle, | Taylor, |
| Comer, | Johnson, A. W., | Needham, | Thompson, |
| Curwood, | Johnson, R., | Nelson, | Tompkins, |
| Davis, | Jones, F. R., | O'Donnell, J. A., | Trusio, |
| Dennis, | Kamyk, | O'Donnell, J. P. | Varallo, |
| Dennison, | Kee, | Odorisio, | Varnier, |
| Devlin, | Keiser, | Oglvie, | Verona, |
| Donahue, | Kernaghan, | O'Neil, | Wall, |
| Donaldson, | Kessler, | Parlante, | Walsh, |
| Dougherty, | Knecht, | Pashley, | Wargo, |
| Edwards, | Kooker, | Perry, H. H., | Weidner, |
| Ellberg, | Korn, | Perry, P. E., | Welsh, |
| Eshback, | Kovolenko, | Petrosky, | Wescott, |
| Eshleman, | Kubitsky, | Polaski, | Whittaker, |
| Ewing, | Lamb, | Polen, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Prendergast, | Williams, E. S., |
| Fetterolf, | Leonard, | Price, | Wilt, |
| Filo, | Light, | Pursley, | Wood, |
| Fineman, | Limper, | Reibman, | Worley, |
| Floyd, | Lippincott, | Renwick, | Wynd, |
| Flynn, | Lopresti, | Rigby, | Yetter, |
| Foerster, | Luigard, | Riley, | Zimmerman, |
| Frank, | Lutty, | Rovansek, | |
| Frascella, | McCann, | Royer, | |
| Fulmer, | McCormack, | | |

NAYS—2

Auker, McCandless,

NOT VOTING—31

| | | |
|-----------|------------------|----------------|
| Bowman, | George, | Magee, |
| Capitolo, | Goodrich, | Maxwell, |
| Clarke, | Heffner, | Merry, |
| Cooper, | Jenkins, | Monroe, |
| Crossin, | Jones, T. H. W., | Moran, |
| Dengler, | Jump, | Murray, P. G., |
| Down, | Kornick, | O'Dell, |
| Fox, | Lee, A. M., | Reidenbach, |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1265, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Rovansek, |
| Anderson, | Galley, | McCormack, | Royer, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gibb, | McKeever, | Schaaf, |
| Balthaser, | Gelfand, | McLaughlin, | Schwartz, |
| Barton, | Goldstein, J. H., | Machmer, | Seltzer, |
| Bell, | Goldstein, M. H., | Mahan, | Sherman, |
| Blair, | Gramlich, | Markley, | Shupnik, |
| Boles, | Guthrie, | Meholchick, | Silverman, |
| Bonner, | Hamilton, | Mihm, | Snare, |
| Boris, | Haudenshield, | Miller, B. Z., | Snider, |
| Bower, | Heavey, | Miller, H. G., | Stank, |
| Branca, | Helm, | Mills, | Steckel, |
| Brenninger, | Henzel, | Muldowney, | Stewart, |
| Breth, | Hocker, | Mullen, | Stimmel, |
| Brown, | Holliday, | Munley, | Stone, |
| Buchanan, | Holt, | Murray, J. J., | Stoner, |
| Burns, | Horst, | Murphy, A. J., Jr. | Strausser, |
| Capano, | Irvic, | Murphy, P. J., | Stroup, |
| Cianfrani, | Isaacs, | Murray, H. P., | Sullivan, |
| Cioffi, | Jim, | Musto, | Taylor, |
| Comer, | Johnson, A. W., | Naugle, | Thompson, |
| Curwood, | Johnson, R., | Needham, | Tompkins, |
| Davis, | Jones, F. R., | Nelson, | Trusio, |
| Dennis, | Kamyk, | O'Donnell, J. A., | Varallo, |
| Dennison, | Kee, | O'Donnell, J. P. | Varnier, |
| Devlin, | Keiser, | Odorisio, | Verona, |
| Donahue, | Kernaghan, | Oglvie, | Wall, |
| Donaldson, | Kessler, | O'Neil, | Walsh, |
| Dougherty, | Knecht, | Parlante, | Wargo, |
| Edwards, | Kooker, | Pashley, | Weidner, |
| Ellberg, | Korn, | Perry, H. H., | Welsh, |
| Eshback, | Kovolenko, | Perry, P. E., | Wescott, |
| Eshleman, | Kubitsky, | Petrosky, | Whittaker, |
| Ewing, | Lamb, | Polaski, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Polen, | Williams, E. S., |
| Fetterolf, | Leonard, | Prendergast, | Wilt, |
| Filo, | Light, | Price, | Wood, |
| Fineman, | Limper, | Pursley, | Worley, |
| Floyd, | Lippincott, | Reibman, | Wynd, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Foerster, | Luigard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCann, | Rudisill, | Speaker |
| Fulmer, | McCormack, | | |

NAYS—0

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobal, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON SECOND READING POSTPONED

Mr. McCANN. Mr. Speaker, I call up out of order Senate Bill No. 1204 on page 2 of today's calendar, bills on second reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. McCANN.

The House resumed the consideration on second reading of Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing devise.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCHWARTZ. Mr. Speaker, on Monday, when this bill was called up on second reading, I introduced amendments to the bill which I would like to withdraw at this time, so that the bill may proceed in order on the calendar on second reading.

The SPEAKER. The records will show that the amendments to Senate Bill 1204 have been withdrawn by the sponsor.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

On the question,

Shall the bill pass finally?

Mr. LIGHT. Mr. Speaker, Members of the House, this bill is one of which the membership should take note.

The bill was first introduced, 1115, on August 26. It passed first reading on September 1; passed second reading on September 23; passed third reading and final passage on October 14.

In the House it was referred to the Committee on Rules on October 15, and nothing was done to the bill until it appeared on first reading on December 8. It passed second reading on December 9, and it was amended on December 15, and yesterday, a further amendment came in which changes the entire bill.

The bill as originally introduced was favored by the bakers and they would have been satisfied with it. An

amendment was put in which changed it and it was further amended, which again left the support of the bakers with the bill, but since the amendment of yesterday the entire picture has changed.

I doubt very much if many of the Members have looked at the amendments, and the same thing is happening this time as happened two years ago when we had a food bill about which the membership knew very little, just a few days before adjournment.

This amendment which was placed in the bill yesterday, found on page 7 of the bill, says this:

Nothing in this act shall be construed to prevent counties having boards of health created under the Act of 1951 known as the Local Health Administration Law from enacting ordinances or promulgating rules and regulations which impose restrictions or require either licensing or inspection of bakeries.

This is an exact duplicate of what the Department of Agriculture is doing now. The Department of Agriculture is committed to the enforcement of the Pure Food Law in Pennsylvania. If this House should pass this bill and if it became a law of the Commonwealth, it would mean that every county creating a local board of health might license and regulate bakeries, charging the license fees and setting up a duplication of the plan that is now in force in the Department of Agriculture.

I want to say to the Members of this House that the Department of Agriculture has enforced the Pure Food Law efficiently over the years. They have had fine Directors of Foods and Chemistry, Honorable James Kellogg and William S. Hager for years have had charge of the inspection work. At the present time the inspection work is in the hands of a good administrator.

In four months of 1958, the Department of Foods and Chemistry inspected 8,900 plants, bakeries, ice cream places, and whatever you have, and their work has been efficiently done. They have made a good record. They have brought in many people who violated the laws and they have been in court many times and tried cases.

The Department's regulations are well established and I think it would be a grave mistake to pass this bill and give the right to duplicate the effort to the counties of Pennsylvania, any number of counties which may organize a board of health.

You will recall that in this House the Board of Health of the City of Pittsburgh, or Allegheny County, if I remember correctly, has an appropriation of in the neighborhood of \$3 million. Philadelphia is getting something like that, and if half the counties of Pennsylvania should attempt to do the same thing, you can see where the Commonwealth of Pennsylvania would stand for support in a financial manner in this respect.

I would ask every Member of this House to vote against this bill, to vote it down. The bakers do not want it, and I do not believe that a bill of this type should pass in the last hours of a session.

Thank you and I hope you will vote against it.

Mr. HELM IN THE CHAIR

Mr. FARABAUGH. Mr. Speaker, since this bill has been ruined by the amendments that were put in it yesterday, as has been very well explained, and since the law that now is in effect and seems to be satisfactory

to those who have their own Health Departments, I want to move this bill be recommitted.

On the question recurring,
Shall the bill pass finally?

BILL RECOMMITTED

Mr. FARABAUGH. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries for the purpose of further study.

The motion was agreed to.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 742, Printer's No. 2101 and

House Bill No. 2295, Printer's No. 2004

were passed over at the request of the SPEAKER pro tempore.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 298.

An Act making an appropriation out of the fish fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 5, by striking out after the second word "the" the word "next"; line 6, by inserting after the word "Assembly" the following: "which meets in the year 1961 section 2 this act shall take effect April 1, 1960"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

| | | | |
|-------------|-------------------|----------------|------------|
| Agnew, | Galley, | McCormack, | Royer, |
| Anderson, | Gallagher, | McDonald, | Rudisill, |
| Arlene, | Garlock, | McInroy, | Sakulsky, |
| Ashton, | Gelfand, | McKeever, | Scarcelll, |
| Balthaser, | Gibb, | McLaughlin, | Schaaf, |
| Barton, | Goldstein, J. H., | Machmer, | Schwartz, |
| Bell, | Goldstein, M. H., | Mahan, | Seltzer, |
| Blair, | Gramlich, | Markley, | Sherman, |
| Boies, | Guthrie, | Meholchick, | Shupnik, |
| Bonner, | Hamilton, | Mihm, | Silverman, |
| Bower, | Haudenshield, | Miller, B. Z., | Snare, |
| Boris, | Heavey, | Miller, H. G., | Snider, |
| Branca, | Helm, | Mills, | Stank, |
| Brenninger, | Henzel, | Muldowney, | Steckel, |
| Breth, | Hocker, | Mullen, | Stewart, |
| Brown, | Holt, | Munley, | Stimmel, |

| | | | |
|------------|-----------------|--------------------|-----------------------|
| Buchanan, | Horst, | Murphy, A. J., Jr. | Stone, |
| Burns, | Irvls, | Murphy, P. J., | Stoner, |
| Capano, | Isaacs, | Murray, H. P., | Strausser, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Musto, | Sullivan, |
| Comer, | Johnson, R., | Naugle, | Taylor, |
| Curwood, | Jones, F. R., | Needham, | Thompson, |
| Davis, | Kamyk, | Nelson, | Tompkins, |
| Dennis, | Kee, | O'Donnell, J. A., | Trusio, |
| Dennison, | Kelser, | O'Donnell, J. P., | Varallo, |
| Devlin, | Kernaghan, | Odorisio, | Varner, |
| Donahue, | Kessler, | Oglivie, | Verona, |
| Donaldson, | Knecht, | O'Neill, | Wall, |
| Dougherty, | Kooker, | Parlante, | Walsh, |
| Edwards, | Korns, | Pashley, | Wargo, |
| Ellberg, | Kovolenko, | Perry, H. H., | Weidner, |
| Eshback, | Kubitsky, | Perry, P. E., | Welsh, |
| Eshleman, | Lamb, | Petrosky, | Wescott, |
| Ewing, | Lee, K. B., | Polaski, | Whittaker, |
| Farabaugh, | Leonard, | Polen, | Williams, A. D., Jr., |
| Fetterolf, | Light, | Prendergast, | Williams, E. S., |
| Filo, | Limper, | Price, | Wilt, |
| Fineman, | Lippincott, | Pursley, | Wood, |
| Floyd, | Lopresti, | Reibman, | Wynd, |
| Flynn, | Luigardi, | Renwick, | Yetter, |
| Foerster, | Lutty, | Rigby, | Zimmerman, |
| Frank, | McCandless, | Riley, | |
| Frascella, | McCann, | Rovansek, | Andrews, |
| Fulmer, | | | Speaker |

NAYS—3

Auker, Holliday, Worley,

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobal, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1133.

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act and establishing certain other fees

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "act" the words "and establishing certain other fees".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Galley, | McCormack, | Royer, |
| Anderson, | Gallagher, | McDonald, | Rudisill, |
| Arlene, | Garlock, | McInrov, | Sakulsky, |
| Ashton, | Gelfand, | McKeever, | Scarcelli, |
| Balthaser, | Gibb, | McLaughlin, | Schaaf, |
| Barton, | Goldstein, J. H., | Machmer, | Schwartz, |
| Bell, | Goldstein, M. H., | Mahan, | Seltzer, |
| Blair, | Gramlich, | Markley, | Sherman, |
| Boies, | Guthrie, | Meholchick, | Shupnik, |
| Bonner, | Hamilton, | Mihm, | Silverman, |
| Boris, | Haudenschild, | Miller, B. Z., | Snare, |
| Bower, | Heavey, | Miller, H. G., | Snider, |
| Branca, | Helm, | Mills, | Stank, |
| Brenninger, | Henzel, | Muldowney, | Steckel, |
| Breth, | Hocker, | Mullen, | Stewart, |
| Brown, | Holiday, | Munley, | Stimmel, |
| Buchanan, | Holt, | Murphy, A. J., Jr. | Stone, |
| Burns, | Horst, | Murphy, P. J., | Stoner, |
| Capano, | Irvls, | Murray, H. P., | Strausser, |
| Cianfrani, | Isaacs, | Murray, J. J., | Stroup, |
| Cioffi, | Jim, | Musto, | Sullivan, |
| Comer, | Johnson, A. W., | Naugle, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dennis, | Kamyk, | O'Donnell, J. A., | Trusio, |
| Dennison, | Kee, | O'Donnell, J. P., | Varallo, |
| Devlin, | Keiser, | Odorisio, | Varner, |
| Donahue, | Kernaghan, | Ogilvie, | Verona, |
| Donaldson, | Kessler, | O'Neil, | Wall, |
| Dougherty, | Knecht, | Parlante, | Walsh, |
| Edwards, | Kooker, | Pashley, | Wargo, |
| Ellberg, | Korna, | Perry, H. H., | Weidner, |
| Eshback, | Kovolenko, | Perry, P. E., | Welsh, |
| Eshleman, | Kubitsky, | Petrosky, | Wescott, |
| Ewing, | Lamb, | Polaski, | Whittaker, |
| Farabaugh, | Lee, K. B., | Polen, | Williams, A. D., Jr., |
| Fetterolf, | Leonard, | Prendergast, | Williams, E. S., |
| Filo, | Light, | Price, | Wilt, |
| Fineman, | Limper, | Pursley, | Wood, |
| Floyd, | Lippincott, | Reibman, | Wynd, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Foerster, | Luigard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | |
| Frascella, | McCandless, | Rovansek, | Andrews, |
| Fulmer, | McCann, | | Speaker |

NAYS—2

Auker, Worley,

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujohal, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 506.

An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended "An act imposing a State tax payable

by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are practically and commercially suitable for use in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissions and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" reducing the tax rate of fuels used in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines for a certain period of time.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, by inserting at the beginning of line 7 the words "turbine propeller"; by striking out after the word "jet" the word "or"; by striking out after the words "turbo-jet" the word "propelled" and inserting in lieu thereof the words "or jet driven"; line 8, by inserting after the word "engines" the words "for a certain period of time"; Section 1, line 2, page 2, by striking out after the word "amended" the words and figures "April 9, 1957 (P. L. 55) "and inserting in lieu thereof the words and figures "June 1, 1959 (Act No 65)"; page 3, line 12, by striking out after the word "hundred" the words "fifty-nine" and inserting in lieu thereof the words "sixty-one"; line 16, by inserting after the word "driven" the words "piston engine"; line 17 by inserting after the word "and" the words "except as hereinafter provided"; line 18, by striking out the bracket before the word "one" where it first appears; by striking out the bracket after the word "cents" and by striking out immediately thereafter the words "one cent"; line 20, by inserting after the word "in" the words "turbine propeller"; page 4, line 1, by striking out after the word "jet" the word "or"; by striking out after the words "turbo-jet" the word "propelled" and inserting in lieu thereof the words "or jet driven"; line 2, by inserting after the word "engines" the following: "for the period beginning January 1, 1960 and ending May 31, 1961 a state tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines"

Section 2, page 4, line 19, by striking out after the word "effect" the word "immediately" and inserting in lieu thereof the following: "January 1, 1960."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. BELL. Mr. Speaker, would the Chairman of the House Appropriations Committee consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. BELL. Mr. Speaker, will the gentleman from Washington advise the House how much this bill will cost in a loss of revenues?

Mr. POLEN. Mr. Speaker, there are really two bills concerned in that. The other one is also on the calendar.

The amount contained in the special fund budget for aviation fuel is an estimate of the revenues based on the present tax of \$1,441,832. That estimate is revised as of today and is \$1,491,009, based upon the present tax. If these bills would be adopted and enacted into law making the one cent effective January 1, it would be a reduction in estimated revenues for this purpose of approximately \$370,000.

Mr. BELL. Mr. Speaker, I rise to oppose the present bill containing the Senate amendments.

The reason I do it is because I do not think this bill and its companion bill are generally understood throughout the House. These are two bills that, if I have the Chair's permission, I will speak on both of them because the remarks pertain to both.

These bills would reduce the tax on jet fuel for all jet type aircraft from one and a half cents a gallon to one cent a gallon, and it would be for a 17-month period. This would cost the Commonwealth approximately \$370,000 of tax revenues. These revenues go into a special fund and they are spent in the areas in which they are collected. In other words, these concern primarily the Allegheny County area and the greater Philadelphia area. The loss to these two areas in a 17-month period is \$370,000. During this Session the aviation tax funds have been so low that the Administration has been forced to come to the Legislature and ask for \$1.7 million of General Fund moneys to put improvements into the airports.

In other words, if a vote is given today in favor of these two bills it means that you are denying to our schools and the other recipients from the General Fund the equivalent amount of money.

There has been some misinformation given to Members of the House. The story has been spread that if we do not reduce the tax on jet fuel, the jet aircraft would not buy their fuel in the state. That is not economically sound. A gallon of jet fuel weighs around six pounds. One hundred gallons of jet fuel would weigh six hundred pounds. On one hundred gallons of jet fuel the tax would be decreased fifty cents. I want to find the big airline that is going to carry 600 pounds from the city of New York to the city of Philadelphia to save fifty cents. It is economically unsound and I say that the effect of these two bills is to take out of the General Fund the equivalent of \$370,000.

I do not think we want to vote for that. I would rather see this money spent in the schools; I would rather see it spent in the mental hospitals. I think a vote for these bills is a vote for the big airlines, and a vote against what is good for the people of Pennsylvania.

Mr. POLEN. Mr. Speaker, in connection with these bills, the information that we were given at the time these bills were brought out is correct. They anticipated that they would increase the revenue by the purchase of jet fuels due to this reduction. However, the other states have since made a 100 percent refund on it so that we are not in any better competitive position than we were. So, the statements that were originally made at that time would not be correct now. I am just making this as a clarification of what has previously been said when the bills were before us previously.

However, the Department of Revenue will not say that there will be any increase in revenue due to the enactment of these bills. The industry, however, does claim

that there would be. But, we cannot base our estimates on anything other than what the Department of Revenue has given us.

Mr. BELL. Mr. Speaker, I want to thank the gentleman from Washington for making that statement because it brings to the fore another point.

When these jet aircrafts take off only with the amount of jet fuel in those tanks that is required by federal regulation. In other words, they have to have so many gallons in the tank to reach their destination, plus a safety factor. They are not going to buy anymore jet fuel because we have reduced our tax half a cent so they can carry the fuel with them to the west coast or Chicago.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

| | | | |
|------------|-------------------|---------------------|------------------|
| Agnew, | Frascella, | McDonald, | Riley, |
| Anderson, | Galley, | McKeever, | Royer, |
| Arlene, | Gallagher, | McLaughlin, | Rudiell, |
| Ashton, | Gelfand, | Machmer, | Sakulsky, |
| Balthaser, | Gibb, | Mahan, | Scarcell, |
| Blair, | Goldstein, M. H., | Meholchick, | Schaaf, |
| Boles, | Gramlich, | Mihm, | Schwartz, |
| Bonner, | Guthrie, | Miller, B. Z., | Seltzer, |
| Boris, | Hamilton, | Mills, | Sherman, |
| Bower, | Haudenschild, | Muldowney, | Shupnik, |
| Branca, | Heavey, | Mullen, | Silverman, |
| Breth, | Helm, | Munley, | Stank, |
| Brown, | Hocker, | Murphy, A. J., Jr., | Steckel, |
| Burns, | Holt, | Murphy, P. J., | Stewart, |
| Capano, | Horst, | Murray, J. J., | Stone, |
| Cianfrani, | Irvia, | Musto, | Stoner, |
| Cioffi, | Jim, | Naugle, | Strausser, |
| Comer, | Johnson, A. W., | Nelson, | Sullivan, |
| Curwood, | Jones, F. E., | O'Donnell, J. A., | Taylor, |
| Dennis, | Kamyk, | O'Donnell, J. P., | Thompson, |
| Dennison, | Kee, | Odorisio, | Trusio, |
| Devlin, | Kernaghan, | O'Neill, | Varallo, |
| Donahue, | Kessler, | Parlante, | Varnier, |
| Donaldson, | Knecht, | Pashley, | Verona, |
| Dougherty, | Kovolenko, | Perry, H. H., | Wall, |
| Edwards, | Lamb, | Perry, P. E., | Wescott, |
| Ellberg, | Lee, K. B., | Petrosky, | Wargo, |
| Eshleman, | Leonard, | Polaski, | Welsh, |
| Ewing, | Limper, | Polen, | Williams, E. S., |
| Fillo, | Lippincott, | Prendergast, | Wilt, |
| Fineman, | Lopresti, | Price, | Wynd, |
| Floyd, | Luigard, | Pursley, | Yetter, |
| Flynn, | Lutty, | Reibman, | Zimmerman, |
| Foerster, | McCann, | Renwick, | Andrews, |
| Frank, | McCormack, | Rigby, | Speaker |

NAYS—40

| | | | |
|-------------|-------------------|----------------|-----------------------|
| Auker, | Garlock, | Light, | Snider, |
| Barton, | Goldstein, J. H., | McCandless, | Stimmel, |
| Bell, | Henzel, | McInroy, | Stroup, |
| Brenninger, | Holliday, | Markley, | Tompkins, |
| Buchanan, | Isaacs, | Miller, H. G., | Walsh, |
| Davis, | Johnson, R., | Murray, H. P., | Weidner, |
| Eshback, | Kelser, | Needham, | Whittaker, |
| Farabaugh, | Kooker, | Ogilvie, | Williams, A. D., Jr., |
| Fetterolf, | Korns, | Rovansek, | Wood, |
| Fulmer, | Kubitsky, | Snare, | Worley, |

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobai, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER pro tempore called up out of order House Bill No. 1927 on page 5 of today's calendar, bills on concurrence in Senate amendments.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1927.

An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended "An act imposing a permanent and a temporary State tax on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways imposing a permanent tax on the fuels used in aircraft or aircraft engines providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring dealer-users to secure licenses and to file bonds as a guarantee of payment of taxes penalties interest fines uncollectible check fees and Attorney General's fees to file reports and to compile and retain certain records requiring registration of carriers for hire imposing duties on such persons requiring persons selling or delivering fuels to licensed dealer-users to furnish information imposing certain costs on counties conferring powers and imposing duties on State officers and departments providing for refunds of taxes penalties and interest illegally or erroneously collected from licensees and providing penalties" decreasing one tax for a certain period of time clarifying certain types of aircraft

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Anmend Title, page 2, line 10, by inserting after the word "tax" the words "for a certain period of time and"; Section 1, line 2, by striking out after the word "amended" the words and figures "April 9, 1957 (P. L. 57)" and inserting in lieu thereof "June 1, 1959 (Act No. 66)"; page 4, by striking out on line 9 after the word "hundred" the words "fifty-nine" and inserting in lieu thereof the words "sixty-one"; line 13 by inserting after the word "and" the words "except as hereinafter provided"; line 14, by striking out the bracket before the word "and" and by striking out the bracket after the word "cents" and by striking out immediately thereafter the word "cent"; line 17, by inserting after the word "forth" the following: "for the period beginning January 1, 1960 and ending May 31, 1961 a state tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for use as fuel in turbine propeller jet turbo-jet or jet driven aircraft and aircraft engines"; Section 2, page 6, line 8, by striking out after the word "effect" the word "immediately" and inserting in lieu thereof the following: "January 1, 1960."

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

| | | | |
|------------|-------------------|---------------------|------------------|
| Agnew, | Frascella, | McDonald, | Riley, |
| Anderson, | Galley, | McKeever, | Royer, |
| Arlene, | Gallagher, | McLaughlin, | Rudisill, |
| Ashton, | Gelfand, | Machmer, | Sakulsky, |
| Balthaser, | Gibb, | Mahan, | Scarcell, |
| Blair, | Goldstein, M. H., | Meholchick, | Schaaf, |
| Boles, | Gramlich, | Mihm, | Schwartz, |
| Bonner, | Guthrie, | Miller, B. Z., | Seltzer, |
| Boris, | Hamilton, | Mills, | Sherman, |
| Bower, | Haudenschild, | Muldowney, | Shupnik, |
| Branca, | Heavey, | Mullen, | Silverman, |
| Preth, | Helm, | Munley, | Stank, |
| Brown, | Hocker, | Murphy, A. J., Jr., | Steckel, |
| Burns, | Holt, | Murphy, P. J., | Stewart, |
| Capano, | Horst, | Murray, J. J., | Stone, |
| Cianfrani, | Irvia, | Musto, | Stoner, |
| Cioffi, | Jim, | Naugle, | Strausser, |
| Comer, | Johnson, A. W., | Nelson, | Sullivan, |
| Curwood, | Jones, F. R., | O'Donnell, J. A., | Taylor, |
| Dennis, | Kamyk, | O'Donnell, J. P., | Thompson, |
| Dennison, | Kee, | Odoorio, | Trusio, |
| Devlin, | Kernaghan, | O'Neil, | Varallo, |
| Donahue, | Kessler, | Parlante, | Varner, |
| Donaldson, | Knecht, | Pashley, | Verona, |
| Dougherty, | Kovolenko, | Perry, H. H., | Wall, |
| Edwards, | Lamb, | Perry, P. E., | Wargo, |
| Elberg, | Lee, K. B., | Petrosky, | Welsh, |
| Eshleman, | Leonard, | Polaski, | Wescott, |
| Ewing, | Limper, | Polen, | Williams, E. S., |
| Filo, | Lippincott, | Prendergast, | Wilt, |
| Fineman, | Lopresti, | Price, | Wynd, |
| Floyd, | Luigard, | Pursley, | Yetter, |
| Flynn, | Lutty, | Reibman, | Zimmerman, |
| Foerster, | McCann, | Renwick, | Andrews, |
| Frank, | McCormack, | Rigby, | Speaker |

NAYS—40

| | | | |
|-------------|-------------------|----------------|----------------------|
| Auker, | Garlock, | Light, | Snider, |
| Barton, | Goldstein, J. H., | McCandless, | Stimmel, |
| Bell, | Henzel, | McInroy, | Stroup, |
| Brenninger, | Holliday, | Markley, | Tompkins, |
| Buchanan, | Isaacs, | Miller, H. G., | Walsh, |
| Davis, | Johnson, R., | Murray, H. P. | Weidner, |
| Eshback, | Kelser, | Needham, | Whittaker, |
| Farabaugh, | Kooker, | Ogilvie, | Williams, A.D., Jr., |
| Fetterolf, | Korns, | Rovansek, | Wood, |
| Fulmer, | Kubitsky, | Snare, | Worley, |

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Hefner, | Merry, | Ujobal, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1121.

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants providing for the licensing thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare and fixing penalties" redefining "boarding houses for infants"

With the information that the Senate had passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 17, by inserting after the word "night" the following: "or any place selected by a parent person standing in loco parentis or legal guardian for the temporary care of his children gratuitously or for pay during his absence"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Royer, |
| Anderson, | Galley, | McCormack, | Rudisill, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelll, |
| Auker, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Gibb, | McLaughlin, | Schwartz, |
| Barton, | Goldstein, J. H., | Machmer, | Seltzer, |
| Bell, | Goldstein, M. H., | Mahan, | Sherman, |
| Blair, | Gramlich, | Markley, | Shupnik, |
| Boies, | Guthrie, | Meholchick, | Silverman, |
| Bonner, | Hamilton, | Mihm, | Snare, |
| Boris, | Haudenshield, | Miller, B. Z., | Snider, |
| Bower, | Heavey, | Miller, H. G., | Stank, |
| Branca, | Helm, | Mills, | Steckel, |
| Brenninger, | Henzel, | Muldowney, | Stewart, |
| Breth, | Hocker, | Mullen, | Stimmel, |
| Brown, | Holliday, | Munley, | Stone, |
| Buchanan, | Holt, | Murphy, A. J., Jr. | Stoner, |
| Burns, | Horst, | Murphy, P. J., | Strausser, |
| Capano, | Irvis, | Murray, H. P., | Stroup, |
| Cianfrani, | Isaacs, | Murray, J. J., | Sullivan, |
| Cioffi, | Jim, | Musto, | Taylor, |
| Comer, | Johnson, A. W., | Naugle, | Thompson, |
| Curwood, | Johnson, R., | Needham, | Tompkins, |
| Davis, | Jones, F. R., | Nelson, | Trusio, |
| Dennis, | Kamyk, | O'Donnell, J. A., | Varallo, |
| Dennison, | Kee, | O'Donnell, J. P., | Varner, |
| Devlin, | Keiser, | Odorisio, | Verona, |
| Donahue, | Kernaghan, | Ogilvie, | Wall, |
| Donaldson, | Kessler, | O'Neil, | Walsh, |
| Dougherty, | Knecht, | Parlante, | Wargo, |
| Edwards, | Kooker, | Pashley, | Weidner, |
| Elberg, | Korns, | Perry, H. H., | Welsh, |
| Eshback, | Kovolenko, | Perry, P. E., | Wescott, |
| Eshleman, | Kubitsky, | Petrosky, | Whittaker, |
| Ewing, | Lamb, | Polaski, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Polen, | Williams, E. S., |
| Fetterolf, | Leonard, | Prendergast, | Wilt, |
| Filo, | Light, | Price, | Wood, |
| Fineman, | Limper, | Pursley, | Worley, |
| Floyd, | Lippincott, | Reibman, | Wynd, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Foerster, | Lulgard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobal, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1122.

An Act amending the act of June 25, 1947 (P. L. 940) entitled "An act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties" re-defining boarding houses for children

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 12, by inserting after the word "parent" the following: "person standing in loco parentis or legal guardian."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Royer, |
| Anderson, | Galley, | McCormack, | Rudisill, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelll, |
| Auker, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Gibb, | McLaughlin, | Schwartz, |
| Barton, | Goldstein, J. H., | Machmer, | Seltzer, |
| Bell, | Goldstein, M. H., | Mahan, | Sherman, |
| Blair, | Gramlich, | Markley, | Shupnik, |
| Boies, | Guthrie, | Meholchick, | Silverman, |
| Bonner, | Hamilton, | Mihm, | Snare, |
| Boris, | Haudenshield, | Miller, B. Z., | Snider, |
| Bower, | Heavey, | Miller, H. G., | Stank, |
| Branca, | Helm, | Mills, | Steckel, |
| Brenninger, | Henzel, | Muldowney, | Stewart, |
| Breth, | Hocker, | Mullen, | Stimmel, |
| Brown, | Holliday, | Munley, | Stone, |
| Buchanan, | Holt, | Murphy, A. J., Jr., | Stoner, |
| Burns, | Horst, | Murphy, P. J., | Strausser, |
| Capano, | Irvis, | Murray, H. P., | Stroup, |
| Cianfrani, | Isaacs, | Murray, J. J., | Sullivan, |
| Cioffi, | Jim, | Musto, | Taylor, |
| Comer, | Johnson, A. W., | Naugle, | Thompson, |
| Curwood, | Johnson, R., | Needham, | Tompkins, |
| Davis, | Jones, F. R., | Nelson, | Trusio, |
| Dennis, | Kamyk, | O'Donnell, J. A., | Varallo, |
| Dennison, | Kee, | O'Donnell, J. P., | Varner, |
| Devlin, | Keiser, | Odorisio, | Verona, |
| Donahue, | Kernaghan, | Ogilvie, | Wall, |
| Donaldson, | Kessler, | O'Neil, | Walsh, |
| Dougherty, | Knecht, | Parlante, | Wargo, |
| Edwards, | Kooker, | Pashley, | Weidner, |
| Elberg, | Korns, | Perry, H. H., | Welsh, |
| Eshback, | Kovolenko, | Perry, P. E., | Wescott, |
| Eshleman, | Kubitsky, | Petrosky, | Whittaker, |
| Ewing, | Lamb, | Polaski, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Polen, | Williams, E. S., |
| Fetterolf, | Leonard, | Prendergast, | Wilt, |
| Filo, | Light, | Price, | Wood, |
| Fineman, | Limper, | Pursley, | Worley, |
| Floyd, | Lippincott, | Reibman, | Wynd, |
| Flynn, | Lopresti, | Renwick, | Yetter, |
| Foerster, | Lulgard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT VOTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Heffner, | Merry, | Ujobai, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Down, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reldenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1344.

An Act amending the act of July 17, 1957 (P. L. 984) entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing which sells conveys transfers releases quitclaims or agrees to sell convey transfer release or quitclaim or insures or agrees to insure title to the surface of land and providing for the effect upon the vendor grantor transferor releasor or person who quitclaims or insures title or agrees to do any of the foregoing for noncompliance therewith" limiting the provisions of the act to transactions with respect to the surface of land under which there is coal and further regulating the notice required to be given

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out at the beginning of the line the word "Repealing" and inserting in lieu thereof the word "Amending"; page 2, line 3, by inserting after the word "therewith" "the following: limiting the provisions of the act to transactions with respect to the surface of land under which there is coal and further regulating the notice required to be given"

Section 1, page 2, line 1, by striking out after the numeral "1" the word "The" and inserting in lieu thereof the word and numeral "Section 1"; line 10, by striking out after the word "therewith" the words "is repealed" and inserting in lieu thereof the words "is amended to read"; line 11 by inserting the following: "Section 1 (A) Every deed agreement of sale title insurance policy and other instrument in writing hereafter executed and delivered with respect to the surface of land under which there is coal and for the purpose of selling conveying transferring releasing quitclaiming agreeing to sell convey transfer release or quitclaim or for insuring or agreeing to insure the title to said surface of land under which there is coal shall if there is or has been a prior or contemporaneous severance of record either of any coal underneath any part of said surface or of any part of the right of surface support for said surface include therein set forth entirely either in capital letters or in type or writing distintively different from the balance of the instrument or set apart from

the balance of the instrument by underlining a prominent notice either in the [form of one of the following paragraphs] following form or else in a form which is essentially the same as and which expresses precisely the same meaning and notice as [one of said following paragraphs

(A) "This document may not sell convey transfer include or insure the title to the coal and right of support underneath the surface land described or referred to herein and the owner or owners of such coal may have the complete legal right to remove all of such coal and in that connection damage may result to the surface of the land and any house building or other structure on or in such land"

"(b) This document does not sell convey transfer include or insure the title to the coal and right of support underneath the surface land described or referred to herein and the owner or owners of such coal have the complete legal right to remove all of such coal and in that connection damage may result to the surface of the land and any house building of other structure on or in such land"] the following

"Notice

"The record title to the surface land described or referred to in this instrument may indicate that someone else either has or may have the complete legal right to remove some or all of the coal underneath said surface land with possible resulting damage to the surface of the land and any house building or other structure on or in such land the inclusion of this notice does not enlarge restrict or modify any legal rights otherwise created transferred excepted or reserved by this instrument"

(b) This act shall not apply to any transaction with respect to the surface of any land under which there is no coal

Section 2 This act shall take effect April 1 1960

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL PASSED OVER

There being no objection,

House Bill No. 1355, Printer's No. 2089, was passed over at the request of the Speaker pro tempore.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1639.

An Act amending the act of May 16 1923 (P L 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and the procedure on tax and municipal claims filed

under other and prior acts of Assembly" extending the period for revival of suggestions and averments of nonpayment and default and the time for filing and renewal of such claims in cities and school districts of the first class to twenty years

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 2 by striking out lines 6 and 7, as follows: the term of the lien of certain municipal claims in cities and school districts of the first class to six years and; and by inserting after the word "claims" in line 9, the following words: "in cities and school districts of the first class"; Section 1, page 3, line 18, by striking out the following: "shall be filed on or before the last day of the sixth calendar year after that in which the taxes water rents or rates and sewer rents or rates are first payable provided that all such claims in cities and school districts of the first class."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Royer, |
| Anderson, | Galley, | McCormack, | Rudisill, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelll, |
| Auker, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Gibb, | McLaughlin, | Schwartz, |
| Barton, | Goldstein, J. H., | Mahan, | Seltzer, |
| Bell, | Goldstein, M. H., | Markley, | Sherman, |
| Blair, | Gramlich, | Meholchick, | Shupnik, |
| Boles, | Guthrie, | Mihm, | Silverman, |
| Bonner, | Hamilton, | Miller, B. Z., | Snare, |
| Boris, | Haudenschild, | Miller, H. G., | Snider, |
| Bower, | Heavey, | Mills, | Stank, |
| Branca, | Helm, | Muldowney, | Steckel, |
| Brenninger, | Henzel, | Mullen, | Stewart, |
| Breth, | Hocker, | Munley, | Stimmel, |
| Brown, | Holliday, | Murphy, A. J., Jr. | Stone, |
| Buchanan, | Holt, | Murphy, P. J., | Stoner, |
| Burns, | Horst, | Murray, H. P., | Strausser, |
| Capano, | Irvis, | Murray, J. J., | Stroup, |
| Cianfrani, | Isaacs, | Musto, | Sullivan, |
| Cloff, | Jim, | Naugle, | Taylor, |
| Comer, | Johnson, A. W., | Needham, | Thompson, |
| Curwood, | Johnson, R., | Nelson, | Tompkins, |
| Davis, | Jones, F. R., | O'Donnell, J. A., | Trusio, |
| Dennis, | Kamyk, | O'Donnell, J. P. | Varallo, |
| Dennison, | Kee, | Odlorio, | Varnier, |
| Devlin, | Kelser, | Oglivie, | Verona, |
| Donahue, | Kernaghan, | O'Neil, | Wall, |
| Donaldson, | Kessler, | Parlante, | Walsh, |
| Dougherty, | Knecht, | Pashley, | Wargo, |
| Edwards, | Kooker, | Perry, H. H., | Weidner, |
| Ellberg, | Korns, | Perry, P. E., | Welsh, |
| Eshback, | Kovolenko, | Petrofsky, | Wescott, |
| Eshleman, | Kubitsky, | Polaski, | Whittaker, |
| Ewing, | Lamb, | Polen, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Prendergast, | Williams, E. S., |
| Fetterolf, | Leonard, | Price, | Wilt, |
| Flio, | Light, | Pursley, | Wood, |
| Fineman, | Limper, | Reisman, | Worley, |
| Floyd, | Lippincott, | Renwick, | Wynd, |
| Flynn, | Lopresti, | Rigby, | Yetter, |
| Foerster, | Luigard, | Riley, | Zimmerman, |
| Frank, | Lutty, | Rovanssek, | Andrews, |
| Frascella, | McCandless, | | Speaker |

NAYS—0

NOT VOTING—31

Bowman,
Capitolo,
Clarke,
Cooper,
Crossin,
Dengler,
Down,
Fox,

George,
Goodrich,
Heffner,
Jenkins,
Jones, T. H. W.,
Jump,
Kornick,
Lee, A. M.,

Magee,
Maxwell,
Merry,
Monroe,
Moran,
Murray, P. G.,
O'Dell,
Reidenbach,

Schuster,
Stevens,
Ujobal,
Wheeler,
Willard,
Willaredt,
Yatron,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONFERENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2170.

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating with the Department of Health an Air Pollution Control Commission and defining its powers authorizing the Department of Health to enforce rules and regulations of the Commission as provided in this act establishing Regional Air Pollution Control Associations and defining their powers reserving powers to local political subdivisions and defining the relationship between this act and the ordinances resolutions and regulations of counties cities boroughs towns and townships imposing penalties for violation of this act and providing for the power to enjoin violations of this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 7, by inserting after the word "the" where it appears the second time the word "normal"; page 3, line 1, by inserting after the word "Commonwealth" the words "but shall be technically feasible and economically reasonable"; line 6, by inserting after the word "concerned" the following: "All powers herein conferred upon the Department of Health the air pollution commission or any regional air pollution control association and all powers herein reserved to any political subdivision shall be exercised solely to effectuate the policy declared in this section"; page 11, by striking out after line 12 the following: "(c) Of the six public members three shall be members of the general public Of the remaining three one shall be a representative of the medical profession and as such be a duly licensed doctor of medicine experienced and competent in the toxicology of air contaminants one member shall be a representative of the engineering profession and as such shall be a duly licensed professional engineer and shall be trained and experienced in matter of air pollution control and one member shall be a representative of industry and as such shall be employed by a manufacturer or public utility carrying on manufacturing or public utility business within the Commonwealth and shall be experienced and competent in matters of air pollution control"; and inserting in lieu thereof the following:

"c) Of the six public members one shall be a member of the general public of the remaining five members one member shall be an industrial toxicologist experienced and competent in the toxicology of air contaminants three members shall be representative of industry and as such shall be employed by a manufacturer or a public utility carrying on a manufacturing or public utility business within the Commonwealth and shall be experienced and competent in matters of air pollution control of which the three members at least one member shall be a licensed professional engineer trained and experienced in matters of air pollution control and the remaining one member shall be an additional licensed professional engineer trained and experienced in matters of air pollution control all the public members of the commission shall be residents of the Commonwealth"; page 14, line 7, by striking out at the beginning of the line the word "that" and by striking out after the word "shall" the word "not"; line 8, by striking out after the word "regulations" the words "to any Association" and inserting in lieu thereof the following: "to the association affected to carry out the purpose and intent of this act all rules and regulations shall be adopted by the Commission in accordance with the provisions of the act of June 4, 1945 (P. L. 1388) known as the 'administrative agency law' and its amendments in exercising its authority to adopt rules and regulations the commission may and to the extent deemed desirable by it shall consult with a council of technical advisers properly qualified by education or experience in air pollution matters appointed by the commission and to serve at the pleasure of the commission to consist of such number of advisers as the commission may appoint but such technical advisers shall receive no compensation for their services to the commission"; page 15, line 8, by striking out after the word "shall" the word "such"; page 16, line 10, by inserting the following: "(g) Any party aggrieved as defined in the act of June 4, 1945 (P. L. 1388) known as the 'administrative agency law' and its amendments by any order decision or determination of the commission made pursuant to the provisions of this act shall have the right to appeal such order decision or determination in the manner provided for by and subject to all the provisions of the act of June 4, 1945 (P. L. 1388) known as the 'administrative agency law' and its amendments"; Section 12, page 23, line 13, by inserting after the word "Subdivisions" the following: "nothing in this act shall limit the powers conferred under existing laws upon counties of the first and second class to enact and enforce through the county health department or otherwise ordinances or rules and regulations controlling and regulating air pollution or the emission of smoke"; Section 3, page 5, line 15, by striking out at the beginning of the line the words "wherein the Department as a regional office" and inserting in lieu thereof the following: "whose boundaries shall be determined by the commission"; Section 4, page 5, line 19, by striking out after the word "Health" the following: "the subject to the supervision and control by" and inserting in lieu thereof the following: "in accordance with the policies of the Commission the"; page 6, line 16, by striking out after the word "shall" the words "upon request"; page 7, line 13, by striking out after the numeral "(5)" the word "Institute" and inserting in lieu thereof the words "When directed by the Commission institute"; page 8, line 1, by striking out after the numeral "(7)" the words "Issue and enforce" and inserting in lieu thereof the word "Enforce"; line 3, by striking out after the numeral "(8)" the word "Approve" and inserting in lieu thereof the word "Recommend"; line 7, by striking out after the word "approval" the following: "registration of emissions to the atmosphere and type of control equipment or when deemed necessary"; Section 5, page 11, line 6, by inserting after the word "Governor" the following: "by and with the advice and consent of two-thirds of all the members of the Senate"; page 24, line 7, by striking out after the word "act" the following: "no ordinance shall be considered to be in conflict within the meaning of this section if such ordinance requires an equal or higher standard than do the rules and regulations of the Commission or which imposes restrictions which are in addition to the rules and regulations of the commission";

Section 13, page 24, line 18, by striking out after the word "of" the words and figures "One Hundred Thousand Dollars (\$100,000.00)" and inserting in lieu thereof the words and figures "Fifty Thousand Dollars (\$50,000.00)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2192.

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commissioning as police officers certain employees of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University state teachers' colleges and universities receiving state aid."

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page one, line 7, by adding after the word "University" the words "State Teachers' Colleges and Universities receiving state aid"; Section 1, page 2, line 12, by inserting after the word "University" the words "State Teachers' Colleges and Universities receiving state aid"; Section 1, page 2, line 15, by striking out the bracket before the word "and"; page 2, line 16, by striking out the bracket after the first word "Governor."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2193.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" extending the provisions relating to trespassing on grounds of state institutions to The Pennsylvania State University State Teachers' Colleges and Universities receiving state aid."

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "University" the words "State Teachers' Colleges and Universities receiving state aid"; Section 1, page 2, line 7, by inserting after the word "University" the words "State Teachers' Colleges and Universities receiving state aid"; page 2, line 10, by striking out after the word "Commonwealth" the words "and whose boards of inspectors managers trustees or directors are respectively appointed by the Governor."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits defining and taxing certain transfers made in contemplation of death or to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in certain property as to which such right exists defining and exempting from tax transfers to certain persons or for certain purposes or of certain property providing for the valuation of property and interests in property the transfer of which is subject to tax defining and allowing deductions from the value of property the transfer of which is subject to tax providing for the persons ultimately liable for taxes in the absence of a direction by the decedent to the contrary providing for the reporting of transfers and collection of taxes imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon persons who fail to file tax returns and documents providing for the compromise of taxes in the case of alleged non-residents of the Commonwealth making it unlawful for any person to make a false return or report providing for liens upon real property the transfer of which is subject to tax and release thereof authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled providing for appeals and protests from the imposition of taxes dealing with the jurisdiction powers and procedure of the orphans' court Secretary of Revenue Department of Revenue Attorney General and register of wills in matters relating to taxes and citing certain acts for repeal.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1195

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. GAILEY, POLEN and HELM.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE SENATE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1977 entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1977

The SPEAKER pro tempore. The Chair has appointed as a Committee of Conference on the part of the House, Messrs, STONE, POLEN and BOWER.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2150 entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence due to underground mining of Coal.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2150

The SPEAKER pro tempore. The Chair has appointed

as a Committee of Conference on the part of the House, Messrs. ROVANSEK, POLEN and WYND.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE Bill No. 762

Mr. McCANN. Mr. Speaker, I call up the Report of the Committee of Conference on House Bill No. 762 on page 7 of today's calendar.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 762, entitled "An act amending the act of June 25, 1913 (P. L. 555), entitled 'An act providing for the regulation of dams or other structures or obstructions as defined herein in, along, across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth; vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof,' authorizing the repair or replacement of the roadway deck or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board."

Respectfully submit the following bill as our report:

GEORGE B. STEVENSON,
C. R. MALLERY,
THOMAS J. KALMAN,
(Committee on the part of the Senate.)

NICHOLAS KORNICK,
VAN D. YETTER, JR.,
ENOS H. HORST,

(Committee on the part of the House of Representatives.)

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" authorizing the repair or replacement of the roadway deck or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1. Section 2 act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof" amended May 6, 1937 (P. L. 559) is amended to read

Section 2 [From] Except as provided herein from and after the passage of this act it shall be unlawful for any person or persons partnership association corporation county city borough town or township to construct any dam or other water obstruction or to make or construct or permit to be made or constructed any change therein or addition thereto or to make or permit to be made any change in or addition to any existing water obstruction or in any manner to change or diminish the course current or cross section of any stream or body of water wholly or partly within or forming a part of the boundary of this Commonwealth except the tidal waters of the Delaware River and of its navigable tributaries without the consent or permit of the Water and Power Resources

Board in writing previously obtained upon written application to said board therefor The district township engineers may authorize the repair or replacement of the roadway deck or the extension of any township bridge having a span of twenty-feet or less in a township of the second class without the consent or permit of the Water and Power Resources Board If within sixty days after filing of an application with the Water and Power Resources Board a permit is not issued or refused by the board then unless refused the applicant shall have power to construct or repair the bridge in accordance with the plan or plans submitted to the Water and Power Resources Board

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 762.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Fulmer, | McCann, | Royer, |
| Anderson, | Galley, | McCormack, | Rudisill, |
| Arlene, | Gallagher, | McDonald, | Sakulsky, |
| Ashton, | Garlock, | McInroy, | Scarcelli, |
| Auker, | Gelfand, | McKeever, | Schaaf, |
| Balthaser, | Gibb, | McLaughlin, | Schwartz, |
| Barton, | Goldstein, J. H., | Machmer, | Seltzer, |
| Bell, | Goldstein, M. H., | Mahan, | Sherman, |
| Blair, | Gramlich, | Markley, | Shupnik, |
| Boles, | Guthrie, | Meholchick, | Silverman, |
| Bonner, | Hamilton, | Mihm, | Snare, |
| Boris, | Haudenschild, | Miller, B. Z., | Snider, |
| Bower, | Heavey, | Miller, H. G., | Stank, |
| Branca, | Helm, | Mills, | Steckel, |
| Brenninger, | Henzel, | Muldowney, | Stewart, |
| Breth, | Hocker, | Mullen, | Stimmel, |
| Brown, | Holliday, | Munley, | Stone, |
| Buchanan, | Holt, | Murphy, A. J., Jr., | Stoner, |
| Burns, | Horst, | Murphy, P. J., | Strausser, |
| Capano, | Irvls, | Murray, H. P. | Stroup, |
| Clanfrani, | Isaacs, | Murray, J. J., | Sullivan, |
| Cioffi, | Jim, | Musto, | Taylor, |
| Comer, | Johnson, A. W., | Naugle, | Thompson, |
| Curwood, | Johnson, R., | Needham, | Tompkins, |
| Davis, | Jones, F. R., | Nelson, | Trusio, |
| Dennis, | Kamyk, | O'Donnell, J. A., | Varallo, |
| Dennison, | Kee, | O'Donnell, J. P., | Varner, |
| Devlin, | Kelser, | Odrisio, | Verona, |
| Donahue, | Kernaghan, | Oglvie, | Wall, |
| Donaldson, | Kessler, | O'Neill, | Walsh, |
| Dougherty, | Knecht, | Parlante, | Wargo, |
| Edwards, | Kooker, | Pashley, | Weidner, |
| Ellberg, | Korns, | Perry, H. H., | Welsh, |
| Eshback, | Kovolenko, | Perry, P. E., | Wescott, |
| Eshleman, | Kuolitsky, | Petrosky, | Whittaker, |
| Ewing, | Lamb, | Poaski, | Williams, A. D., Jr., |
| Farabaugh, | Lee, K. B., | Polen, | Williams, E. S., |
| Fetterolf, | Leonard, | Prendergast, | Wilt, |
| Filo, | Light, | Price, | Wood, |
| Fineman, | Limper, | Pursley, | Worley, |
| Floyd, | Lippincott, | Reibman, | Wynd, |
| Flynn, | Loprestl, | Renwick, | Yetter, |
| Foerster, | Luigard, | Rigby, | Zimmerman, |
| Frank, | Lutty, | Riley, | Andrews, |
| Frascella, | McCandless, | Rovansek, | Speaker |

NAYS—0

NOT COTING—31

| | | | |
|-----------|------------------|----------------|------------|
| Bowman, | George, | Magee, | Schuster, |
| Capitolo, | Goodrich, | Maxwell, | Stevens, |
| Clarke, | Hefner, | Merry, | Ujobal, |
| Cooper, | Jenkins, | Monroe, | Wheeler, |
| Crossin, | Jones, T. H. W., | Moran, | Willard, |
| Dengler, | Jump, | Murray, P. G., | Willaredt, |
| Downd, | Kornick, | O'Dell, | Yatron, |
| Fox, | Lee, A. M., | Reidenbach, | |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the report of the Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

Mr. McCANN. Mr. Speaker, I call up out of order House Bill No. 1355 on page 5 of today's calendar, bills on concurrence in Senate amendments.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1355.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the reduction of a charge of larceny to a charge of shoplifting and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and.

With the information that the Seante had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by inserting after the word "shoplifting" the following: "and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and."

Amend page 3, by inserting after line 16, Section 2, as follows:

"Section 2 Section 822 of the act is amended to read
"Section 822 Embezzlement by public officers etc who ever being an officer employe or agent of this commonwealth or political subdivision thereof charged with the collection safekeeping transfer or disbursement of public money converts to his own use in any way whatsoever or uses by way of investment in any kind of property or merchandise any portion of the public money intrusted to him for collection safekeeping transfer or disbursement or proves a defaulter or fails to pay over the same thereunto legally required by the person authorized to demand and receive the same or aids or abets or is an accessory to any such act is guilty of embezzlement a felony and upon conviction thereof shall be sentenced to undergo imprisonment by separate or solitary confinement at labor not exceeding ten (10) years or to pay a fine not exceeding the amount of the money embezzled or both.

The term "public money" shall include taxes of this commonwealth or of any political subdivision thereof and the word "agent" shall include any person who undertakes the collection safekeeping transfer or disbursement of such taxes to the commonwealth or to the political subdivision entitled to receive them.

Amend page 5, line 5, by striking out after the word "Section" the numeral "2" and inserting in lieu thereof the numeral "3" and by striking out after the word "effect" the word "immediately" and inserting in lieu thereof the words "in ten days."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Mr. McCANN. Mr. Speaker, I call up out of order House Bill No. 2016 on page 1 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2016, entitled:

An Act creating a Pennsylvania Youth Authority providing for its membership prescribing its powers and duties transferring certain personnel and making an appropriation and making repeals.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 1, page 1, line 1 to 3; page 2, lines 1 to 12, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 2, page 2, lines 13 and 14, by striking out both of said lines.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 3, page 2, lines 15 to 19; page 3, lines 1 to 6, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 4, page 3, lines 7 to 9, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 5, page 3, lines 10 to 14, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 6, page 3, lines 15 to 19; page 4, lines 1 to 20; page 5, lines 1 to 19; page 6, lines 1 and 2, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 7, page 6, lines 3 to 10, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 8, page 6, lines 11 to 13, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendment:

Amend Sec. 9, page 6, lines 14 and 15, by striking out both of said lines.

Amend Bill, page 6, by inserting between lines 15 and 16:

"Section 1. There is hereby created an independent administrative agency to be known as the Pennsylvania Youth Foundation. The Foundation shall consist of nine members; three to be appointed by the Governor, three by the President Pro Tempore of the Senate, and three by the Speaker of the House of Representatives. Three of the first nine nominated shall serve for three years, three for two years, and three for one year, and thereafter the term for all members shall be four years. The Foundation shall annually select one of their number to be chairman and one to be secretary. Five members shall constitute a quorum.

"Section 2. The chairman, with the approval of the majority of the Foundation, may appoint and fix the compensation of such assistants, clerks and stenographers as are necessary to enable the Foundation to perform the powers and duties vested in it. The compensation of such assistants, clerks and stenographers shall be fixed within limitations fixed by the Foundation members and shall be eligible to apply for membership in the State employees' retirement system. During his term of employment, no assistant shall engage directly or indirectly in the practice of law in any juvenile court of the Commonwealth.

"Section 3. The Pennsylvania Youth Foundation shall have the power and its duties shall be:

"(1) To collect and review studies of the causes and prevention of juvenile crime and juvenile delinquency.

"(2) Confer with State and local officials, law enforcement officers, educators, social workers, church groups, civic organizations and devise programs designed to pre-

vent juvenile delinquency through the promotion of wholesome youth activity.

"(3) Cooperate with the Juvenile Court Judges' Association of the Commonwealth in all matters pertaining to the proper care and maintenance of delinquent children.

"(4) Study and devise an educational program for our schools to inspire youth with a burning desire for self-improvement and to stimulate the young people of our State with a desire to excel.

"(5) Cooperate with existing youth organizations and any other such organizations that may be formed in the future.

"(6) Cooperate with those involved in classification of school pupils with an emphasis upon spotting the potential juvenile delinquent as early in his schooling as possible and make recommendations for his guidance and correction.

"(7) Provide, upon request, advisory service to probation departments on the local level.

"(8) Cooperate in all its functions with other departments, commissions and agencies of the State and its political subdivisions.

"(9) Receive gifts including but not limited to personal and real property from individuals, associations, corporations and other groups, and to expend such gifts or donations for purposes herein enumerated without appropriation by the General Assembly.

"Section 4. Each year there shall be quarterly meetings of the Pennsylvania Youth Foundation and such additional meetings as the chairman shall deem necessary. Each member of the Foundation shall be paid only his necessary expenses incurred in attending the meetings.

"Section 5. The sum of fifteen thousand dollars (\$15,000), or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Youth Foundation for the payment of expenses incurred in the fiscal biennium beginning June 1, 1959."

They were agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK, offered the following amendments:

Amend Sec. 10, page 6, line 16, by striking out "10" and inserting: "6."

Amend Sec. 10, page 6, line 16, by striking out "January 1, 1960" and inserting: "immediately."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the section?

Messrs. A. W. JOHNSON, AUKER, Mrs. VARALLO and Mr. KAMYK offered the following amendments:

Amend Title, page 1, first line of title, by striking out "Authority" and inserting: "Foundation."

Amend Title, page 1, second line of title, by striking out "transferring certain personnel."

Amend Title, page 1, last line of title, by striking out "and making repeals."

Amend Bill, page 1, by inserting after last line of title: Whereas, The problems of juvenile delinquency are among the most pressing of any that face law-abiding citizens in the Commonwealth; and

"Whereas, The incidence of juvenile crime has been increasing steadily since the end of World War II; and

Whereas, There are many groups in Pennsylvania working toward the improvement of this situation but no one central clearing-house to coordinate their activities; and

Whereas, A special and independent administrative agency with identity of purpose staff and funds and with continuity of service is warranted in order to plan and carry out such a program.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 413, entitled:

An Act providing for group life insurance for State employes establishing a schedule providing for payment and providing for reduction of insurance upon retirement.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 1, page 1, lines 1 and 2, by striking out "Auditor General" and inserting "Governor."

Amend Sec. 1, page 1, line 2, by striking out "approval" and inserting "advice."

Amend Sec. 1, page 1, line 2, by inserting after "the" where it appears the second time "Auditor General."

Amend Sec. 1, page 2, line 4, by inserting after "authorities" "For the purposes of this act the term 'employes' shall include the members of the General Assembly."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Sec. 3, page 3, lines 12 and 13, by striking out "contribute to" and inserting: "pay."

Amend Sec. 3, page 3, line 13, by striking out "life."

Amend Sec. 3, page 3, lines 13 and 14, by striking out "a sum equal to fifty cents (50¢) ONE DOLLAR (\$1.00) per month" and inserting: "each month."

Amend Sec. 3, page 3, line 15, 16 and 17, by striking out "The State Treasurer shall deduct such amount from the" in line 15, all of line 16 "Any" in line 17, and inserting: "in such an amount as may be determined from time to time on the basis of the actual total costs of the insurance policy or policies contracted for by the State. Such costs shall reflect any."

Amend Sec. 3, page 3, lines 17 and 18, by striking out "or rate credits shall inure to the benefit" in line 17 all of line 18 and inserting: "received in excess of the State's administrative costs."

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 4, page 4, line 6, by striking out "of" and inserting: "or."

Amend Bill, page 4, by inserting between lines 8 and 9:

Section 5. Any policy of insurance purchased as authorized in this act shall provide that all employes eligible under the terms of this act will be automatically insured thereunder commencing on the date they first became so eligible. Any employe desiring not to be so insured shall on an appropriate form to be prescribed by the board give written notice to his employing office that he desires not to be insured. If such notice is received before the employe shall have become insured under such policy he shall not be so insured. If it is received after he shall

have become insured his insurance under the policy will cease effective with the end of the pay period during which the notice is received by the employing office.

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Sec. 5, page 4, line 9, by striking out "5" and inserting "6."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

RESOLUTION

DISCHARGING COMMITTEE ON HOUSE BILL No. 379

Messrs. AUKER, M. H. GOLDSTEIN, WILT, and GRAMLICH offered a resolution which was read by the Clerk as follows:

In the House of Representatives, December 16, 1959.

Resolved, That House Bill No. 379, entitled "An act amending the act of May 1, 1929 (P. L. 905), entitled 'An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens, encumbrances and legal claims, registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts, making an appropriation and providing for refunds,' making persons over sixteen years of age subject to the penal provisions of the act," having been referred to the Committee on Judiciary on February 16, 1959, and the committee not having reported the same to the House for a period of over fifteen days, the committee is discharged from further consideration thereof.

On the question,

Will the House adopt the resolution?

Mr. AUKER. Mr. Speaker, I will try to be very brief but the resolution does need some brief explanation.

About two months ago or perhaps longer, I raised the question on the floor of the House that juvenile drivers of motor vehicles between the ages of sixteen and eighteen did not come under the provisions of the Motor Vehicle Code.

At that time there were exceptions taken to my remarks, I believe, by the gentleman from Greene, Mr. McCann, and while I denied it at that time I did get the answer for him in the form of a formal opinion, and I believe either the next day or the following week I

stated on the Floor of the House that under the Attorney General's formal opinion they did not come under the jurisdiction of the Motor Vehicle Code and so they could not be punished. They were a distinct class of drivers and certainly in many instances were favored as such because probably of their age and other considerations.

Also, I stated at that time that the enforcement officers of the state, local as well as the State Police force, were crying for such a bill. The juvenile drivers who were guilty of Motor Vehicle Code violations or Motor Vehicle Code provisions were laughing at them and laughing at the juvenile court judges in many cases, and that is true in many, many places.

This bill, Mr. Speaker, House Bill 379, was introduced on February 16, and I raised the question several months ago on the floor of the House and I believe everybody at that time was in agreement.

Several Members from both parts of the House stated that a remedial measure should be passed correcting such a situation and that it would try to be corrected, but nothing has happened. Therefore, I feel at this time that this motion is proper, this discharge resolution is proper procedure, and I certainly feel that it is very vitally needed legislation in order to give the enforcement officers of our state the proper arm to curb these violators of motor vehicle violations, which today in many, many cases, probably generally throughout the state, are not being curbed.

I feel this bill has fine support not only from enforcement officers but from all the good citizens of this Commonwealth who want to see this class of drivers treated the same as any other adult driver inasmuch as they have the same privileges as any driver over 18. It is good legislation and it should be passed. I certainly ask support on both sides of the House for this discharge resolution.

I know this is a late hour but I insist upon a slow roll call and only those present and in their seats and voting be recorded. If they left it is their own fault.

Mr. McCANN. Mr. Speaker, I ask that the Members vote down the discharge resolution pertaining to House Bill No. 379.

The yeas and nays were required by Messrs. AUKER and BELL and were as follows:

YEAS—48

| | | | |
|------------|-------------------|----------------|-----------------------|
| Ashton, | Gibb, | Kooker, | Rigby, |
| Auker, | Goldstein, M. H., | Kubitsky, | Stewart, |
| Bell, | Gramlich, | Lee, K. B., | Stroup, |
| Bower, | Guthrie, | McCandless, | Thompson, |
| Buchanan, | Haudenschild, | McInroy, | Wall, |
| Davis, | Henzel, | Mahan, | Weldner, |
| Dennison, | Holliday, | Miller, B. Z., | Williams, A. D., Jr., |
| Donaldson, | Isaacs, | Miller, H. G., | Williams, E. S., |
| Eshback, | Johnson, R., | Murray, H. P., | Wilt, |
| Ewing, | Kee, | Ogilvie, | Wood, |
| Fetterolf, | Kelser, | Price, | Wynd, |
| Fulmer, | Kessler, | Pursley, | Andrews, |
| | | | Speaker |

NAYS—90

| | | | |
|------------|-------------------|--------------------|------------|
| Arlene, | Garlock, | Machmer, | Renwick, |
| Balthaser, | Gelfand, | Meholchick, | Riley, |
| Bonner, | Goldstein, J. H., | Mihm, | Rovansek, |
| Burns, | Hamilton, | Mills, | Rudisill, |
| Capano, | Helm, | Muldowney, | Scarcell, |
| Cianfrani, | Hocker, | Munley, | Schaaf, |
| Cioffi, | Irvins, | Murphy, A. J., Jr. | Schwartz, |
| Comer, | Jim, | Murray, J. J., | Sherman, |
| Curwood, | Johnson, A. W., | Musto, | Shupnik, |
| Devlin, | Jones, F. R., | Needham, | Silverman, |

| | | | |
|------------|-------------|-------------------|-----------|
| Dougherty, | Kamyk, | Nelson, | Snider, |
| Edwards, | Kovolenko, | O'Donnell, J. A., | Stank, |
| Ellberg, | Lamb, | O'Neil, | Stone, |
| Farabaugh, | Leonard, | Parlante, | Sullivan, |
| Filo, | Limper, | Pashley, | Taylor, |
| Fineman, | Lopresti, | Perry, H. H., | Tompkins, |
| Floyd, | Luigard, | Perry, P. E., | Varallo, |
| Flynn, | Lutty, | Petrosky, | Verona, |
| Foerster, | McCann, | Polaski, | Wargo, |
| Frank, | McCormack, | Polen, | Welsh, |
| Frascella, | McDonald, | Prendergast, | Worley, |
| Galley, | McKeever, | Reibman, | Yetter, |
| Gallagher, | McLaughlin, | | |

NOT VOTING 72

| | | | |
|-------------|------------------|------------------|------------|
| Agnew, | Down, | Lippincott, | Seltzer, |
| Anderson, | Eshleman, | Magee, | Snare, |
| Barton, | Fox, | Markley, | Steckel, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Goodrich, | Merry, | Stimmel, |
| Boris, | Heavey, | Monroe, | Stoner, |
| Bowman, | Heffner, | Moran, | Strausser, |
| Branca, | Holt, | Mullen, | Trusio, |
| Brenninger, | Horst, | Murphy, P. J., | Ujobai, |
| Breth, | Jenkins, | Murray, P. G., | Varner, |
| Brown, | Jones, T. H. W., | Naugle, | Walsh, |
| Capitolo, | Jump, | O'Dell, | Wescott, |
| Clarke, | Kernaghan, | O'Donnell, J. P. | Wheeler, |
| Cooper, | Knecht, | Odorislo, | Whittaker, |
| Crossin, | Kornick, | Reidenbach, | Willard, |
| Dengler, | Korna, | Royer, | Willaredt, |
| Dennis, | Lee, A. M., | Sakulsky, | Yatron, |
| Donahue, | Light, | Schuster, | Zimmerman, |

So the question was determined in the negative and the resolution was not adopted.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2297 FROM GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 16, 1959.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2297, Printer's No. 1973, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. KAMYK. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Allegheny, Mr. Kamyk vote on the final passage of this bill?

Mr. KAMYK. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend the bill, page 33, by inserting after line 11:
"Section 7. This act shall take effect January 30, 1960.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to request that the Majority Leader explain the amendments to House Bill No. 2297, which is the Workmen's Compensation bill.

Mr. McCANN. Mr. Speaker, I will be glad to. I thought this had been cleared.

On House Bill 2297 the amendment is the effective date that has been agreed to in compliance with the insurance adjusters placing the date as, does it say midnight, January 30, 1960? That is correct. The effective date of this act shall be January 30, 1960. This was agreed to by all the parties dealing with the insurance adjustment rates.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

..The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2018 FROM GOVERNOR

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2018, Printer's No. 1976, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2019 FROM GOVERNOR

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2019, Printer's No. 1977, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 993, entitled:

An Act amending the act of June 1, 1956 (P. L. 1987) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and construct a toll bridge over the Monongahela River connecting the State highways system in Washington County with the system of State highways in Fayette County and to provide the necessary approaches and connections with such State highways; . . ." naming the bridge the William J. Lane—Eustice H. Bane Bridge.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Bill No. 1232, entitled:

On Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 993, entitled:

An Act amending the act of June 1 1956 (P. L. 1987) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and construct a toll bridge over the Monongahela River connecting the State highway system in Washington County with the system of State highways in Fayette County and to provide the necessary approaches and connections with such State highways; . . ." naming the bridge the William J. Lane—Eustice H. Bane Bridge.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas

River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, the Senate says that they will send communications over about 9:30 or 10:00 tonight. At this point we have an agreement that tomorrow we can take each of these concurrences before our caucuses with-

out being on the calendar and caucus and act on them. All I am going to ask is when the Chief Clerk receives the messages tonight at 9:30 that I have a list during the night so that we can work early in the morning.

ADJOURNMENT

Mr. FRASCELLA. Mr. Speaker, I move that this House do now adjourn until Thursday, December 17, 1959 at 12:00 noon E.S.T.

The motion was agreed to, and (at 6:40 p.m. E.S.T.) the House adjourned.

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No. 125.

SENATE

THURSDAY, DECEMBER 17, 1959.

The Senate met at 12:00 o'clock p.m.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

The PRESIDING OFFICER. The Chair would like to state that the President pro tempore, M. Harvey Taylor, has asked the present occupant of the Chair to preside.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Our dear Heavenly Father, we thank Thee for this blessed season when we again commemorate Thy great gift to the world. We pray that through Thy Spirit during this Christmas season, we may endeavor to establish the message which the multitude of the Heavenly Host gave to the shepherds, the message of peace on earth.

Let us all pray for the success of the great mission of our President to establish peace in the world. May it be the foundation upon which we are going to build in the years to come; peace at home and peace over the world, so that we may be ready when Thou will come to receive Thine own unto Thyself.

Bless the labors that we are to perform here today, that they may all be to the honor and glory of Thy great Name. We ask in in Jesus' Name, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. WAGNER, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 1251.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

December 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Columbia County Board of Assistance, until December 31, 1962, and until their successors are duly appointed and qualified, to compute from January 1, 1960:

Joseph C. Conner (Democrat), 102 West Street, Bloomsburg, Columbia County, vice Mrs. Hannah L. Groner, Bloomsburg, whose term expired.

Edward T. Kitchen (Republican), 154 East Fifth Street, Bloomsburg, Columbia County, vice Robert W. Coffman, Bloomsburg, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

December 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph Campbell (Republican), Dornsife, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance, until December 31, 1961, and until his successor shall be duly appointed and qualified, vice Oscar Kehler, Shamokin, whose term expired.

DAVID L. LAWRENCE

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, I have three discharge resolutions dealing with one question, the State library situation. I will present these resolutions and ask for a roll call vote on each one.

At the proper time, I would like to make a brief statement concerning these discharge resolutions.

DISCHARGE RESOLUTION

TO DISCHARGE COMMITTEE ON STATE GOVERNMENT FROM FURTHER CONSIDERATION OF **HB 1783**

Mr. HAYS offered the following resolution, which was read as follows:

In the Senate, December 17, 1959.

Resolved, That House Bill No. 1783, Printer's No. 842, entitled "An act amending the act of June 23, 1931 (P. L. 1203), entitled 'An act providing aid by the Commonwealth to free public non-sectarian county libraries; authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries; and making an appropriation,' revising the system of State-aid for maintenance of libraries," having been referred to the Committee on State Government on June 29, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. HAYS. Mr. President, each day as I enter the Senate, I find the representation of the man from Centre County, who in the history of this Senate has played the most important part in government I think; namely, Andrew Gregg Curtin. In connection with that, a couple of weeks ago I had a communication from a group of high school students from the Bellefonte High School, reminding me that in reading an old Bellefonte newspaper, they ran across this item. This is from the Bellefonte Newspaper, Keystone Gazette of 1875:

"Bellefonte is organizing a public library and reading room. Ex-Governor Curtin has subscribed \$100 a year toward its maintenance."

"We copy the above,"—the editor said—"because, as printed in the 'Gazette and Bulletin,' it unintentionally conveys a wrong impression. Gov. Curtin has subscribed five hundred dollars to the public library; and in addition to this five hundred, he subscribed a hundred dollars per annum until the library becomes self-supporting. That is the way of it."

I am sure that the memory of Andrew Gregg Curtin must prod some of us when we consider that this important library legislation has been lingering in a committee so long.

These bills came about because of a serious and comprehensive study made under the guidance of the Pennsylvania Library Association and by a large commission, representing library trustees, librarians and business and professional leaders. The need for this legislation is highlighted by the following facts, it seems to me:

The average annual per capita expenditure for public library service in Pennsylvania is eighty-three cents. Pennsylvania ranks thirty-second among the States in this respect.

About 2,000,000 Pennsylvanians—that is about one out of every five—have no local public library. Over half of the public libraries in Pennsylvania have not a single full time staff member.

The average annual per capita expenditure for public libraries in Pennsylvania, outside of the cities of Pittsburgh and Philadelphia, is but forty cents.

I think someone has said long ago that the real university is a collection of books. It seems to me here we have

an opportunity to extend universities to 2,000,000; in this sense, to the 2,000,000 Pennsylvanians who now have no public library. I think this matter is of concern to so many of us that the entire body of the Senate should have the right and privilege of voting on these bills.

Therefore, I ask for a roll call vote on these discharge resolutions.

Mr. WATKINS. Mr. President, is the Senator from Delaware in order to answer the gentleman on the other side?

The PRESIDING OFFICER. Yes sir.

Mr. WATKINS. Mr. President, I heard only part of Senator Hays' remarks about the library bills.

The PRESIDING OFFICER. Will the gentleman yield just for a moment?

Mr. WATKINS. I will, Mr. President.

The PRESIDING OFFICER. It is almost impossible for the reporters to hear with the noise that is going on. If conferences are necessary, will you please go to the conference room in the rear of the Senate? We are in the closing days, and it is absolutely necessary that the reporters are able to take down what is said.

The gentleman will proceed.

Mr. WATKINS. Mr. President, I heard part of the speech made by Senator Hays with reference to the library bills which are in the Committee on State Government. I would like to say, Mr. President, that those bills were given more time I think than any bills we had in the State Government Committee this year.

I agree that there was a committee set up by former Governor Leader. This committee was headed by Albert Greenfield, from the city of Philadelphia. I have no quarrel at all with the committee, and certainly take no exception to them making a report and legislation being introduced. However, I would like to say, Mr. President, that I feel, personally,—and it was the feeling of many members of my committee—that we in this Legislature have no right to open the door for the local governments to assess real estate further in the various municipalities in the State of Pennsylvania.

We also felt that at this time, with the need for money so great in the State of Pennsylvania, that the State of Pennsylvania had no money to match the programs of the local districts. The State would have to equal the funds provided by the various municipalities which accepted this library system. Therefore, we felt, in the best interest of home rule, we should not dictate on this measure to the people and force them to tax the various municipalities further.

I realize, Mr. President, in some cases the local municipalities now have the right of a two mill tax. We felt that perhaps in the future there would be some funds in the State of Pennsylvania or some other way to work this out without putting it on the home districts.

We, therefore, offered a resolution, asking the Joint State Government Commission to make a study. I do not think there is a Senator on this floor who would feel that anyone would do a better job than the Senators themselves and the staff of the Joint State Government Commission.

I feel also, Mr. President, that we are not bound by these committees that are appointed by the Governors of this State. We are elected Senators, with the thought in mind and with the thoughts of the people in mind, that

it is our duty to make the laws and not accept every report which is handed to us by some committee.

I say right now, speaking only for myself, that if I must be governed by every committee that meets and hands me a tax program wherein I must tax the people of the State of Pennsylvania, then I do not deserve to represent the county of Delaware. I was elected to represent the people of Delaware, and not Albert Greenfield or any member of his committee.

Mr. HAYS. Mr. President, I simply want to say that I, too, was elected to represent the citizens of Centre County and the citizens of Clearfield County. I am only asking for the opportunity to vote on three bills, and unless we vote favorably on these discharge resolutions, I am denied this opportunity.

This is a matter of great concern to many people, and it seems to me we should have this opportunity.

Mr. WEINER. Mr. President, I believe that the gentleman from Delaware County has taken the position that he represents the people who live in his county and that he feels, as their elected representative, he has a perfect right to make a decision on their behalf. I, too, agree with that position. I think it is a position that is well taken. The only thing we are asking on this side is that we be allowed an opportunity to do the very thing about which he is speaking.

How can I make a decision on a matter, either favorably or unfavorably, if the matter is not before us? We are saying: "Bring this matter before us make whatever decision your conscience dictates, or your constituents dictate,—whichever happens to be the area in which you want to move—but allow us that same opportunity." By merely bottling the bill up in committee and never giving me the opportunity to vote for or against it, you are certainly denying the people of my area, who have made their wishes known to me, and you are denying me the right to make the same decision that you have made.

The fact that you have decided not to let us consider this matter indicates that you have made the decision that this matter shall die, because that is the net effect of your action.

I believe that all of us realize, if we stop to think about it a moment, that books and libraries are the sum total of everything that people have thought about over the past centuries, merely recorded and placed in one place, and these libraries are the reposing place for the safekeeping of men's thoughts. With that in mind, what you are saying is: "I am going to deny to some of the people in this Commonwealth the opportunity to understand or at least pursue what other men have thought, and either to accept or reject those thoughts as they come to them on the printed page."

Senator, I suggest one other thing to you. When these reports are made by these committees,—and I do not mind if you have objection to the committee but I would like to know to whom you object on the committee—and we have gone past the point where we do not object to the committee, I think we are not duty bound to accept these reports. However, I certainly think that the intelligent approach to this problem is, at least, to pursue the report and decide if the report is good or bad in the area that it tries to cover. Once you have decided whether it is good or bad, then move on from that point. Just to say that you are not bound by the report, or that you do not want to

accept the report or reject the whole thing in toto, without giving a reason, is certainly not the correct approach, nor, I think in your case, a statesman like approach. I know that you have better facilities for working out these problems and for thinking than that.

If you will give us on this side a reason for not taking up this problem,—if the report is bad and you point it out to us, I may agree with you and I may not—that is the point from which to begin. We cannot, as Senators, travel to every area of the State that is involved. The State is too vast. The problems are too many and too complex. If someone is willing to do that, we have no objection to the people who are appointed. We have no objection to the reports they may submit. I think on that basis, we should be willing at least to accept what has been given to us and take it from there.

Concerning the Greenfield Report, there is nothing magic about Mr. Greenfield or the report, but we should begin with the premise that the committee is duly constituted and is a good committee which is honestly seeking an answer to a complex problem. Then if we find, for example, that the Greenfield Report is the answer to the problem, or at least that it tends to begin to look into the problem, I think we can do no less than to follow through on the entire problem.

The only thing with which we should concern ourselves is whether it is good for the people of Pennsylvania, should they have it or will it help them.

Mr. WATKINS. Mr. President, with respect to my friend and distinguished colleague on the other side, sometimes I have thought about exchanging Senator Ehrgood and he for a son. However, I do not know now. I am going to have to think that one over.

I would like to say, Mr. President, that the gentleman on the other side should stop spreading the same old package that we have been sitting here listening to all during this Session of the Legislature. He gets around and ducks around, and has this and that to say.

I have faith in the committees that are set up by the President pro tempore of this Senate. I believe in the committee system. Senator Weiner is saying that they would like to kick it out on the floor. I know Senator Weiner does not mean that every bill which has been put into the hopper this Session should be brought to the floor. We would probably have to change the date of Christmas to March or April, or something like that.

Senator Weiner knows very well that the committee system is approved. The only objection that he has to it is that his Members are in the minority. I notice that Senator Weiner would not say that every Member of the committee on his side has not had a chance to state any feelings which they might have had in the State Government Committee. They have never been denied the right of their elected office in that committee. The committee even went so far as to bring out one of the master bills on this subject. If Senator Weiner would just stretch his memory, he would recall that the chairman and the members of the Committee decided to send out one bill to see how this General Assembly would feel about it.

Mr. President, certainly Senator Weiner believes in a majority vote. That bill, which we brought out, was sent back to the Committee on State Government, not by Senator Watkins or not by the members of his committee.

The master bill on this whole library package was given a fair shake. It was brought before this Assembly. I do not know whether Senator Hays knew that or not. I am quite sure that he did. What more can you ask? Do we have to abolish the whole system of government to suit a few people? Do we have to sit over on this side, as Republicans in the majority, and be condemned to the outside world?

For instance, the labor people, with whom God knows I am just as friendly as any Democrat on the other side. Believe me, Mr. President, I have been poor. If you have not been poor, Mr. President, you have not lived. I am in the labor class. I was successful, maybe yes, working my way up through the American system of government, of free enterprise, something which I respect and love.

I feel the systems under which he operate here are fair and just and honest. Certainly when the master bill of these library bills was recommitted, there was no complaint against this committee. I feel we should be protected.

While I am on my feet, Mr. President, discharge resolution after discharge resolution has come into this Senate of Pennsylvania. When the labor record comes out, you will see an "X" on every bill in which labor was interested, because Senator Watkins did not vote for a discharge resolution. That same thing applies to many of my colleagues on this side of the aisle. It is unfair, it is unjust and it is unreasonable.

In closing, Mr. President, I say that any bill that is in my committee has always had a fair chance. I also say that I am going to stick to the rules of this Senate, and that is the way I shall operate my committee, whether it suits anyone or not.

I am sorry I could not meet with the thinking of Senator Weiner and some other Senator that we should bring all bills to the floor of this Senate, because when he says that the library bills should be brought here, then I say every bill should have been brought out.

Mr. LANE. Mr. President, I must say that Senator Watkins has certainly approached this subject via the Panama Canal. Of course, I would not raise a point of order, but we were discussing these library bills.

Let me say to that distinguished gentleman from Delaware that one of the gravest mistakes which was made at this Session was the killing of these library bills. As a matter of fact, I talked with the gentleman on several occasions, in regard to this particular problem. I believe there was a question of finances, as I understood it. However, we had one bill on the Calendar which I had hoped would pass. That bill would have, more or less, put our foot in the door.

Mr. President, I wish to say to Senator Watkins and his distinguished colleagues on the other side that without libraries, we would not have any cultural achievements whatsoever. As a matter of fact, libraries are so important that a great number of our distinguished jurists, throughout Pennsylvania, have bequeathed their entire estates for the maintenance of law libraries. I believe the gentleman knows that. Where would a college or university be without up-to-date libraries? The same thing applies to our schools. In Pennsylvania, we have a great number of rural sections which do not have these facilities. I say that the Chief Executive of Penn-

sylvania, the Honorable David L. Lawrence, was within his right in appointing a committee—and so was Governor Leader—to study this problem of law libraries. They were elected by all of the people of Pennsylvania to sit in that position. We cannot take the right away from the Governor or any of the Chief Executives to make these appointments.

I believe, too, that where these members served diligently, honestly, for long periods of time and without any compensation whatsoever, we should at least have given the results of their studies our very serious consideration. I do not believe that we really seriously considered all of these library bills. Had we done so, the case might be different today.

Senator Hays certainly is on solid ground in asking for the discharge of this committee. Of course, this is an empty gesture, because never in my memory have we ever discharged a committee. However, I, too, believe in the committee system. In a great number of cases, a number of the committee members do not really seriously consider all of the bills in their committees. Here is one particular case where I believe that we should discharge the committee and bring these library bills to the floor of the Senate. Then we should appoint a select committee to go over the bills in detail and then, in the closing days, pass legislation which will help enlighten everyone in Pennsylvania.

I might say, Mr. President, that I have some statistics in regard to Book of the Month Clubs and that sort of thing. Do you realize that they are greatly on the increase? A great number of people are now subscribing to the Book of the Month Club. Some of the literature is good and, probably, some of it is bad. However, if we had an efficient library system in Pennsylvania, I think all of the people would be enlightened. As a matter of fact, perhaps Senator Watkins and his colleagues do not want the people to be too intelligent because they would know that the people would vote for the Democrats.

Mr. WATKINS. Mr. President, I listened with interest to the good Senator. I want to say right here to the Members of the Senate that I have no quarrel whatsoever with Governor Leader, who passed the gavel over to Governor Lawrence. I have no quarrel with any Governor who sets up a committee. In fact, I welcome any committee which is set up by a Governor and I welcome its views. However, I want to say right now on the floor of this Senate—and I think I should be listened to—that I believe in any Governor setting up a committee. I do not believe in the elected Members of this General Assembly being forced to accept their recommendations. Whether it is good or bad, it is free advice and we welcome it. However, under no circumstances, without any equivocation whatsoever, shall I, as a Senator,—and I plead with the rest of you—be guided completely by the findings of any committee or any commission which says you shall do this and that. If that is the intent of committees being set up by any Governor, then I am opposed to the setting up of committees.

Mr. President, I want you to remember that I have said that I welcome the committees, provided it is definitely understood that the elected officials of this Commonwealth do not in any way have to accept the findings of those committees. As long as Senator Lane has been in the Senate of Pennsylvania, I know that down in his

heart he feels that way, too. I think Senator Lane is a good Senator. I think he has been a good servant to the Commonwealth of Pennsylvania and to the Nation, as a whole. I do not think that he wants to think any other way, for the sake of argument.

Again, Mr. President, I see no reason for a discharge resolution on this set of library bills, other than to make political hay, which my good friend from Philadelphia has been doing during all of this Session.

Mr. WEINER. Mr. President, I would not want to accuse the last speaker of being political or digressing from the subject at hand, but that sometimes happens in the heat of argument. The only thing I feel sorry about is the fact that he has now disowned me as a son. For a little while, I was feeling very secure by being under that very strong and very expansive financial wing. However, now that I am out in the cold again, I will just have to try to win my way back as well as I can.

I would like to say to the gentleman that the committee system is a good one, if properly operated. I have no quarrel with the gentleman, as committee chairman. However, when a chairman of any committee takes it upon himself to decide what should or should not be good for all the Senators to see, understand and take some part in, I think it then becomes bad or capricious. The report which was presented here to us on the library situation was not the last word on the subject, nor was it the means which we have to use to arrive at the answer that the committee presented. It may be a point of departure. This is merely for our information, for men who are busy and who do not have the time because of representing a great number of people, a great diversity of interests and diversity of subjects, to at least find out what is going on in this particular area. We can either reject the entire report or accept it, or use it as a point of departure on our own. However, the committee chairman has not seen fit to even have a hearing on this important matter. I think we should at least bring people in and hear their views, whether they be for or against it, in order for us to make an intelligent decision.

If the gentleman accuses us of being political and engaging in politics, I think, in a sense, he condemns his own Party. The very same discharge resolutions were introduced in the House by the Republican Minority. This is the only means which the Minority Party has to bring to the attention of the committee chairman and to the Senate, as a whole, that here are matters which it considers of importance to the people of the Commonwealth of Pennsylvania. They want these matters to be heard. How else would he have us air this problem? How else would he have us bring it to their attention? As a matter of fact, it is only by this means that we have even heard from the committee chairman on this problem. This is the only means by which we found out why he is against it. Up to this moment, there has been no expression on this problem.

If this is a political or a wrong way to run a government, then I am all for it because I think the Minority Party has no other way to express their views. When you do not have the votes, there are very few things that you can do to make your views known.

Unfortunately, we do not all sit down and discuss all the problems of the Commonwealth. I think this suggestion made by Senator Lane would be another way of

handling the problem. If the committee chairman feels he does not want to have the entire committee sit in on this matter, then he should appoint a select committee to hear this problem and report back to the Members of the Senate.

Mr. President, the library problem is a serious one. These discharge resolutions are also serious. I think the gentleman from Delaware should give attention to these problems. He should have another look at them. We are not saying that we do not want him to sit in judgment on this matter. We are not saying that we no longer want him to be the chairman of the committee. We are saying to him, "Please, Mr. Committee Chairman, look at this problem again, bring it before us and give us an opportunity to express our views." If the gentleman decides he does not want to do that, then he should bring it up here and, as a committee of the whole, let us decide on this very serious problem. I think, in the entire discussion with the gentleman from Delaware, he has at no time said that this is not a serious problem. He has never said that this is not a problem with which we should concern ourselves. He has never said that we should not look into this entire matter and, at least, hear from the people who are interested in it.

I think in the clash between the free world and the other forces at work in this world, education is not only a tool, but it is a very important weapon. When you are engaged in a struggle for men's minds in a war of ideas, you certainly are much better for having more people on your side who know how to use ideas and are able to get their points of views across, than by having people who sit back and merely listen and take information which they get indiscriminately from many sources, much of which might be propaganda and much of which might be the type of information which does no good to anyone and is put out for certain reasons. If you do not have discerning minds, people who can find out what is going on, and divide the wheat from the chaff, which you can only obtain by reading what other people have written in order to get some sort of a philosophy of life or living, we are going to lose this war of ideas and we are going to lose these young minds. We will lose the minds which we in America are looking toward for leadership.

The gentleman from Delaware will tell you himself that it is due to educating himself, by reading and having experience, that he has been able to come as far as he has to be in this great Senate of Pennsylvania. He is saying, "I am rejecting this for other people, even though I have accepted it for myself." I am sure he does not mean that and I am sure that is not what he is trying to tell us here today.

Mr. WATKINS. Mr. President, I want to thank the gentleman for telling how I got to the Senate of Pennsylvania. Mrs. Watkins' little boy just happened to be popular five times. I was elected by the people by a nice majority, for which I am most grateful.

Mr. President, I would like to call to the attention of the Members of the Senate one other thing.

Relative to this survey which was made and headed by Mr. Albert Greenfield, of Philadelphia, the Honorable Albert Greenfield,—he has so many titles and I respect the gentleman—one thing, too, that comes to my mind is that I found there were people brought into this com-

mittee who do not even live in the Commonwealth of Pennsylvania. I do not feel that we in Pennsylvania have to go to other States to find out what we should do in Pennsylvania. I think we know more about our system than the people who live in Florida or some other State. I found there were two members on that committee, one from the State of New Jersey and one from the State of Maryland. I want to say to my good friends in New Jersey and Maryland that they should let their Legislators run New Jersey and Maryland, and we will try to run Pennsylvania as we think it should be run for the people of the Commonwealth.

Mr. MAHADY. Mr. President, I think at this time, in fairness to all parties concerned,—both Senator Watkins and Senator Hays—that when the library bills were brought back to committee, the reason given was for further study.

Senator Hays is merely making inquiry today whether or not that further study resulted in a better bill than came to the committee, or whether the best they could come up with was that bill and now was the time for a decision if the Majority thinks so. It is a reasonable request, in the light of it.

Senator Watkins' committee has been functioning and the answer will be in the vote which is taken. It is not a question of personalities, nor is it a question of putting anyone on the spot. As Members of this Senate, we do not ask that we take any recommendation that is handed to us. However, if that is the best recommendation that we have, then it is the best that is available. The Majority is to decide whether or not that is so. Therefore, I respectfully present to you that the question at issue is, if the recommitment of these bills was for further study, what is the status of that study?

Mr. HAYS. Mr. President and Members of the Senate, I do not believe that a majority of us believe that libraries and books are partisan politics.

The Chairman of the State Government Committee has reminded us that a couple members of this study committee are, apparently, from outside Pennsylvania. I am sure this is true, if he says it is true. However, may I remind the gentleman, to give a backward look into history, that two of the foremost men in the public library movement were none other than Benjamin Franklin, who was not born in Pennsylvania, but has made contributions of which all Pennsylvanians are proud; and the other gentleman, of a later time, was Andrew Carnegie. He was not born in Pennsylvania, but he made a significant contribution to the public library movement. Therefore, it would seem to me that if we do not take a serious look and permit all of the fifty Senators to vote on these library matters, we are certainly doing a disservice to the memory, service and honor of two men who were not born in Pennsylvania, but of whom Pennsylvanians are very proud; namely, Benjamin Franklin and Andrew Carnegie.

Mr. MULLIN. Mr. President, I heard it said several times yesterday, when discharge resolutions were introduced, and I heard it also repeated today, that votes on these resolutions do not necessarily indicate that the Senator voting against them would be against the bills if they were presented.

I think it is a fair indication, and a fair deduction, that the people who vote against these discharge resolutions are against these bills. If they wanted the bills presented

here and are interested in voting on them, I feel that these gentlemen should vote for the discharge resolutions. I think it is perfectly reasonable, since every man up here stands on his record, that the organizations which are interested in these bills should certainly and fairly assume that the men who are not supporting the discharge resolutions are not in favor of those bills and are holding back the consideration of those bills.

Mr. SEYLER. Mr. President, whenever the gentleman from Delaware arises on the floor, I always listen carefully because his remarks are always instructive. His remarks made yesterday were very instructive because he instructed me in how the affairs of Delaware County are managed in such good form as he always says they are.

You may recall the incident where the city of Chester had a certain matter in mind. The matter was settled by the Senator sitting down with the gentleman from his county and making the decision. This is a very neat way of settling things, but it may not be the most appropriate way to settle things in the Pennsylvania Senate.

I have always found the gentleman to be reasonable and logical in his arguments. This afternoon, I believe his arguments lacked this certain logic which I can only attribute, perhaps, to the fact that he may be taking advice from his adopted son from Lebanon County. I would like to point out to the gentleman that what he said about the committee system being established and working successfully is true. However, the same people who set up the committee system must not have thought that a majority of the committee was always necessarily right because they also provided the method of discharge resolutions in order for the Majority in the Senate, if it so chose, to decide differently from the majority in the committee.

It seems to me that any person who takes the attitude that the majority of a committee should always be supported, and takes the attitude that we should never discharge a committee from consideration of a bill which has not been favorably acted upon by a majority of the committee, is saying that the committee system, including this provision for a discharge resolution, is not the best way. Senator Watkins cannot say that he believes in the committee system or in the sanctity of our rules and, at the same time, urge his colleagues to inevitably and always support the majority of the committee. You just cannot take those positions at the same time and be logical, except in the county of Lebanon.

Therefore, Mr. President, I would suggest that the gentleman from Delaware, not being at his usual logical peak, should reconsider his words and tell his colleagues that if they feel, as of this moment, that the majority of the committee was not right and that we should have a more effective library program, the gentleman from Delaware should urge them to vote their convictions, regardless of what the majority of the State Government Committee may have decided.

Mr. EHRCOOD. Mr. President, regarding the good Senator from Philadelphia, Senator Mullin,—you know I used the word "suspicious" the other day—I am again suspicious that he can read our minds and know how we would vote on certain things. Of course, you know my suspicions of the other day are getting more confirmed as I go along each day proceeding in this week.

I wonder if the Senator would say that he can read the minds of all of the Representatives from Philadelphia who voted against the city-county bill on that discharge resolution in the House.

Mr. WATKINS. Mr. President, I do not intend to take any further time of the Senate in answering some of the things that have been said on the other side.

When Senator Mullin spoke, certainly he spoke his own mind and he is entitled to say whatever he wants. However, what he said does not have a thing to do with what we are talking about here, in my opinion. Naturally, I respect my good friend, Senator Seyler, being a Senator. I think it is nice to have him.

Mr. President, I do intend to sit down. Unless someone insults me, I do not intend to come to this microphone again to talk on this library legislation. However, I want to say that a discharge resolution is an insult to the chairman of any committee. A discharge resolution, in my opinion, shows a lack of faith in the chairman and the members of that committee, and I resent it. As the Lord is my maker, I hope that I never get to the point where I ever vote for any discharge resolution against a Democratic chairman or a Republican chairman, whoever he might be. That is the way I feel. I feel that I have been insulted, and I feel as though my committee has been insulted. I am tired of taking it and sitting down, and I hope the other chairmen feel as I do.

I shall not answer any further remarks. They can say what they want, as long as they do not get personal.

These bills have had fair trials. The main library bill was brought to the floor of the Senate and has been recommitted.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. HAYS and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Harney, | Pechan, | Wade, |
| Blass, | Keller, | Propert, | Wagner, |
| Chapman, | Kessler, | Scott, | Walker, |
| Confair, | Koprivier, Jr., | Shafer, | Watkins, |
| Ehrgood, | Kromer, | Stevenson, | Whalley, |
| Elliott, | Madigan, | Taylor, | Wolfe, |
| Flack, | Mallery, | Van Sant, | Fleming, |
| | | | Presiding Officer |

So the question was determined in the negative, and the resolution was defeated.

DISCHARGE RESOLUTIONS

TO DISCHARGE COMMITTEE ON STATE GOVERNMENT FROM FURTHER CONSIDERATION OF **HB 1784**

Mr. HAYS offered the following resolution, which was read as follows:

In the Senate, December 17, 1959.

RESOLVED, That House Bill No. 1784, Printer's No. 843, entitled "An act amending the act of April 9, 1929 (P. L. 177), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department

thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," creating the Advisory Council on Library Development; providing for its composition; and providing for its powers and duties," having been referred to the Committee on State Government on June 29, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. HAYS and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-------------------|
| Berger, | Harney, | Pechan, | Wade, |
| Blass, | Keller, | Propert, | Wagner, |
| Chapman, | Kessler, | Scott, | Walker, |
| Confair, | Koprivier, Jr., | Shafer, | Watkins, |
| Ehrgood, | Kromer, | Stevenson, | Whalley, |
| Elliott, | Madigan, | Taylor, | Wolfe, |
| Flack, | Mallery, | Van Sant, | Fleming, |
| | | | Presiding Officer |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON STATE GOVERNMENT FROM FURTHER CONSIDERATION OF **HB 1787**

Mr. HAYS offered the following resolution, which was read as follows:

In the Senate, December 17, 1959.

Resolved, That House Bill No. 1787, Printer's No. 845, entitled "An act establishing a program of library traineeship in the State Library of the Department of Public Instruction," having been referred to the Committee on State Government on June 29, 1959, and the Committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. HAYS and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|----------------|------------|-------------------|
| Berger, | Harney, | Pechan, | Wade, |
| Blass, | Keller, | Probert, | Wagner, |
| Chapman, | Kessler, | Scott, | Walker, |
| Confair, | Koprivier, Jr. | Shafer, | Watkins, |
| Ehrgood, | Kromer, | Stevenson, | Whalley, |
| Elliot, | Madigan, | Taylor, | Wolfe, |
| Flack, | Mallery, | Van Sant, | Fleming, |
| | | | Presiding Officer |

So the question was determined in the negative, and the resolution was defeated.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I ask that the resolution, which I am about to offer, be considered and if there is any problem about considering it, that it go to the proper committee for action.

SENATE RESOLUTION

URGING THE SENATE COMMITTEE ON EXECUTIVE NOMINATIONS TO CONSIDER THE NOMINATIONS PRESENTED BY THE GOVERNOR FOR MEMBERSHIP ON THE PUBLIC UTILITY COMMISSION

Mr. WEINER, by unanimous consent, offered the following resolution (Serial No. 94), which was read as follows:

In the Senate, December 17, 1959.

Whereas, His Excellency, the Governor of the Commonwealth, has sent to the Senate the nominations of William F. O'Hara and Robert W. Anthony, as members of the Public Utility Commission on April 6, 1959 and November 16, 1959 respectively, and

Whereas, The Governor in so acting faithfully performed his duty under the Constitution, and

Whereas, The men so nominated are prominent men in their respective communities who have received the endorsement of responsible citizens and are eminently qualified for the positions, and

Whereas, The Senate under the Constitution is obligated to advise and consent or decline to do so to nominations submitted by the Governor after a reasonable period of time for reflection and investigation and before the conclusion of a legislative session, and

Whereas, The legislative session will soon end, and

Whereas, The people of the Commonwealth of Pennsylvania are entitled to have the benefit of the Senate's wisdom expressed on nominations by the Governor which is guaranteed to them by the Constitution, and

Whereas, The Public Utility Commission is an important agency of the government and the work of which is indispensable to our modern economy and effects the daily lives of all citizens, therefore be it

Resolved, That the Senate Committee on Executive Nominations do forthwith consider the nominations of the above gentlemen and report the same to the Senate for the action of that body.

Mr. BERGER. Mr. President, I would not attempt to speak for the eminent Chairman of the Committee on Executive Nominations, but I only wish to say, as a member of the committee that I know the committee has been giving this subject great thought and will continue to do so. To act upon this resolution at this time, I believe, might interfere with their deliberations. Therefore, I request that it go to the appropriate committee.

The PRESIDING OFFICER. The Chair hears objection to the immediate consideration of this resolution.

Mr. WEINER. Mr. President, I would like to speak on behalf of the resolution.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WEINER. Mr. President, I am just going to make a few brief remarks. May I ask the Chair that we have just a little bit of order? I know the Chair has been trying to preserve order and it has been very difficult.

The PRESIDING OFFICER. Will the Senate please be in order? May the Chair suggest to the Sergeant at Arms that there can be no side bar conferences with any of the Members of the Senate? We are in the closing days. The Senators must hear what is going on. If any visitors want to confer with any Member of the Senate, it will be necessary for the Senators to take them to the conference room.

The gentleman will proceed.

Mr. WEINER. Mr. President, the first name sent over here about eight months ago was Mr. O'Hara. William F. O'Hara lives in Scranton, in the county of Lackawanna, and is a war hero. He was injured during the war, and, as a result, he lost both legs after being marooned for five months on an ice cap.

Mr. O'Hara's experiences were related in several syndicated newspaper articles and in a book entitled, "War Below Zero."

Mr. O'Hara is married. He is an attorney and is well thought of in the community.

I have a letter here from the American Legion, Koch-Conley Post #121, located in Scranton, Pennsylvania, wherein they say that Mr. O'Hara enjoys a fine reputation and stands out as a fine symbol of sacrifices which one must be willing to endure to enjoy the freedom of this dear land of ours. It goes on at great length. I do not mean to take a great deal of time. However, I have this letter and it has been photostated and mimeographed and placed on every Member's desk. There are also editorials which have appeared in the Pittsburgh papers, as well as the Philadelphia papers.

The Pittsburgh Post-Gazette, of December 15, 1959, goes on at great length to state that William F. O'Hara and Robert W. Anthony, of Altoona, are both qualified by experience and reputation and, in keeping them out of office, the Senate is doing the State a grave injustice. If I were to say that, it would sound as if I were making a political speech, but this statement was made by the Post-Gazette of Pittsburgh.

The Philadelphia Inquirer goes on at great length to discuss the same problem, and it discusses the merits of these men and why they should be put into office.

The Harrisburgh Patriot, of December 15, 1959, discusses not only these men, but they discuss the action of the Democratic Senate in the Congress and how they acted on the Eisenhower appointments. The article tells how the Democrats decided to go along with one of the gentlemen who was under heavy fire because they did not want to stymie the President in his problems. They faced the issue, made the issue clear-cut, and decided on that basis.

I think that we, here in the State Senate, could do no less. I think to withhold either telling the gentleman that he is qualified or unqualified, or whatever we feel should be our stand on this matter, is doing the State and him an injustice.

Robert W. Anthony is an attorney and a member of the Blair County Bar. He has also been asked to serve on this commission. His name has come over more recently. He

is a gentleman who is well thought of in his community and has the bar association approval. He also has enjoyed all of the accruements and also the accolades of the newspapers and the people who are interested in this problem.

I am asking the Members of this Senate if they know of any reason why these two gentleman should not be appointed. If they are in bad standing, if they are not intelligent, if they cannot handle the job or if in any way they lack the qualifications, would they please make it known to me as the leader of the Democratic delegation, or would they make it known to individual Democratic Senators? Then, perhaps, we will feel the same way as you do. We will then transmit this message to the Governor. I think we are avoiding what is our constitutional duty. The Governor has made his duty clear and has acted. I think we can do no less.

I call upon the committee, and the committee chairman, to look into these two appointments, and to do it soon. We are entering the stage where these people are needed to sit in on hearings and to decide on the rate to be granted to the utilities, not only to protect the State and the citizens thereof, but to protect the utilities and, perhaps, solve some of the problems they have so they can give better service.

The PRESIDING OFFICER. There being objection to the immediate consideration of this resolution, the resolution will be referred to the Committee on Rules.

REPORT FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 2286**.

HOUSE MESSAGES

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, recalling **SB 1250**, from the Governor for the purpose of further consideration.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 2361**

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2361**.

SENATE RECEDES FROM ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO **HB 2361**

Mr. BERGER. Mr. President, I move that the Senate do recede from its amendments nonconcurred in by the House to **HB 2361**.

Mr. WHALLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Probert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |

| | | | |
|----------|------------|----------|-------------------|
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDING OFFICER. The Chair now turns the gavel over to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **SB 136, 298, 727, 773, 794, 1133, 1139, 1262 and 1265**.

The PRESIDENT pro tempore. At this time, the Chair returns the gavel to the gentleman from Allegheny, Mr. Fleming, to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

RECESS

Mr. BERGER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of having lunch.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF CONFERENCE

Mr. EHRCOOD submitted the Report of Committee of Conference on **HB 900**, which was laid over for printing under the rules.

COMMITTEE OF CONFERENCE ON **SB 21** DISCHARGED

Mr. WADE. Mr. President, I wish to report to the Senate that the Conference Committee appointed on Senate Bill No. 24 is unable to reach an agreement.

Therefore, I move that the Conference Committee be discharged from further consideration of this bill.

Mr. SHAFER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO **SB 24**

Mr. WADE. Mr. President, I move that the Senate insist upon its nonconcurrence in the amendments made by the House to **SB 24**.

Mr. SHAFER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO **HB 2431**

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2431**.

SENATE RECEDES FROM ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO **HB 2431**

Mr. BERGER. Mr. President, I move that the Senate recede from its amendments nonconcurred in by the House to **HB 2431**.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **HB 2368**, RECALLED FROM THE GOVERNOR

He also presented communication informing the Senate that the House insists upon its amendments nonconcurred in by the Senate to **HB 2368**, recalled from the Governor.

SENATE RECEDES FROM ITS NONCONCURRENCE IN
AMENDMENTS MADE BY THE HOUSE TO **HB 2368**,
RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do recede from its nonconcurrence in the amendments made by the House to **HB 2368**, which was recalled from the Governor.

Mr. PECHAN. Mr. President, I second the motion.
The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS,
RECALLED FROM THE GOVERNOR.

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 2368**, recalled from the Governor.

Mr. PECHAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO **HB 1344**

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 1344**.

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO **HB 1344**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1344**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO **HB 1355**

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 1355**.

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO **HB 1355**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1355**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE
IN AMENDMENTS TO **HB 2170**

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2170**.

SENATE INSISTS UPON ITS AMENDMENTS
NONCONCURRED IN BY THE HOUSE TO **HB 2170**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 2170**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 2192**

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2192**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 2192**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 2192**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN AMENDMENTS TO **HB 2193**

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2193**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 2193**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 2193**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 1971**.

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO **HB 1971**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 1195**

The PRESIDING OFFICER. The Chair announces on behalf of the President pro tempore, the appointment of Messrs. ELLIOTT, SCOTT and MULLIN, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1195**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 1977**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WHALLEY, SHAFER and MAHADY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1977**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 2150**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. FLACK, WAGNER and MAHADY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 2150**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 1344**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SCOTT, KROMER and MAHADY, as a Committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 1344**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 1355**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. EHRGOOD, SHAFER and MULLIN, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 1355**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 2170**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. FLEMING, WATKINS and RIPP, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 2170**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 2192**

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of

ELLIOTT, WALKER and McCREESH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 2192**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE APPOINTED ON HB 2193

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. ELLIOTT, WALKER and McCREESH, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 2193**.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, by unanimous consent, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Athanasios Koumoundoureas, 542 Main Street, Edwardsville, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Edwardsville, Luzerne County, to serve until the first Monday of January 1962, vice Andrew Drust, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1961, and until their successors shall have been appointed and qualified:

Gordon A. Hardwick, Gwynedd Valley, Montgomery County, from May 15, 1958.

Millard E. Gladfelter, President, Temple University, 342 Fisher Road, Jenkintown, Montgomery County, vice Dr. Robert L. Johnson, Philadelphia, resigned.

William W. Bodine, Jr., County Line Road, Villanova, Montgomery County, vice Vice Adm. J. L. Kauffman, Ret'd., Philadelphia, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR **HB 1830**

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House

of Representatives which was read as follows, and laid on the table:

In the House of Representatives, December 15, 1959.

Resolved (if the Senate concur), That House Bill No. 1830, Printer's No. 1999, entitled:

An Act defining the terms "church" and "place of actual religious worship" as used in acts of assembly heretofore and hereafter enacted, relating to the taxation of real estate.

be recalled from the Governor for the purpose of further consideration.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. TAYLOR, That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominations reported at today's Session.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations reported at today's Session.

The nominations were read as follows:

JUSTICE OF THE PEACE

December 15, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Athanasios Koumoundoureas, 542 Main Street, Edwardsville, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Edwardsville, Luzerne County, to serve until the first Monday of January 1962, vice Andrew Drust, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EASTERN PENNSYLVANIA PSYCHIATRIC INSTITUTE

December 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Eastern Pennsylvania Psychiatric Institute, until May 13, 1961, and until their successors shall have been appointed and qualified:

Gordon A. Hardwick, Gwynedd Valley, Montgomery County, from May 15, 1958.

Millard E. Gladfelter, President, Temple University, 342 Fisher Road, Jenkintown, Montgomery County, vice Dr. Robert L. Johnson, Philadelphia, resigned.

William W. Bodine, Jr., County Line Road, Villanova, Montgomery County, vice Vice Adm. J. L. Kauffman, Ret'd., Philadelphia, resigned.

DAVID L. LAWRENCE.

A motion was made by Mr. BERGER and Mr. TAYLOR, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF COMMITTEE OF CONFERENCE

Mr. WAGNER submitted the Report of Committee of Conference on SB 882, which was placed on the Calendar.

CALENDAR

REPORT OF COMMITTEE OF CONFERENCE

HB 762—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on HB 762, entitled:

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

HB 634—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

THIRD READING CALENDAR

REVENUE BILL ON THIRD READING

SB 1112—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

The PRESIDING OFFICER. At this time, the Chair turns the gavel over to the President of the Senate.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

BILLS ON THIRD READING

SB 1256 and 1257—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

HB 1597—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Harney, | McMenamin, | Silvert, |
| Berger, | Hays, | Miller, | Stevenson, |
| Blass, | Kalman, | Mullin, | Stiefel, |
| Chapman, | Keller, | Murray, | Taylor, |
| Camiel, | Kessler, | Pechan, | Van Sant, |
| Confair, | Koprivier, Jr., | Propert, | Wade, |
| DiSilvestro, | Kromer, | Ripp, | Wagner, |
| Donolow, | Lane, | Rooney, | Walker, |
| Ehrgood, | Madigan, | Ruth, | Watkins, |
| Elliott, | Mallery, | Sarraf, | Weiner, |
| Flack, | McCreesh, | Scott, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |

NAYS—2

Mahady, Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1735—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

| | | | |
|--------------|-----------------|---------|-----------|
| Barr, | Kalman, | Miller, | Silvert, |
| Berger, | Kessler, | Mullin, | Stiefel, |
| Blass, | Koprivier, Jr., | Murray, | Taylor, |
| Camiel, | Kromer, | Pechan, | Van Sant, |
| Chapman, | Lane, | Ripp, | Wagner, |
| Confair, | Mahady, | Rooney, | Walker, |
| DiSilvestro, | Mallery, | Ruth, | Watkins, |
| Donolow, | McCreesh, | Sarraf, | Weiner, |
| Flack, | McGinnis, | Scott, | Whalley, |
| Harney, | McMenamin, | Seyler, | Wolfe, |
| Hays, | | | |

NAYS—9

| | | | |
|----------|----------|----------|------------|
| Ehrgood, | Keller, | Propert, | Stevenson, |
| Elliott, | Madigan, | Shafer, | Wade, |
| Fleming, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1740—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

| | | | |
|--------------|-----------------|---------|-----------|
| Barr, | Kalman, | Miller, | Silvert, |
| Berger, | Kessler, | Mullin, | Stiefel, |
| Blass, | Koprivier, Jr., | Murray, | Taylor, |
| Camiel, | Kromer, | Pechan, | Van Sant, |
| Chapman, | Lane, | Ripp, | Wagner, |
| Confair, | Mahady, | Rooney, | Walker, |
| DiSilvestro, | Mallery, | Ruth, | Watkins, |
| Donolow, | McCreesh, | Sarraf, | Weiner, |
| Flack, | McGinnis, | Scott, | Whalley, |
| Harney, | McMenamin, | Seyler, | Wolfe, |
| Hays, | | | |

NAYS—9

| | | | |
|----------|----------|----------|------------|
| Ehrgood, | Keller, | Probert, | Stevenson, |
| Elliott, | Madigan, | Shafer, | Wade, |
| Fleming, | | | |

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1909—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2397—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|---------|---------|---------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |

| | | | |
|--------------|-----------------|----------|-----------|
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2399—Without objection, the bill was passed over in its order temporarily at the request of Mr. BERGER.

HB 2400—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Harney, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Probert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mallery, | Sarraf, | Watkins, |
| Elliott, | McCreesh, | Scott, | Weiner, |
| Flack, | McGinnis, | Seyler, | Whalley, |
| Fleming, | McMenamin, | Shafer, | Wolfe, |

NAYS—2

| | |
|-------|---------|
| Hays, | Mahady, |
|-------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2402—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|-----------------|------------|------------|
| Barr, | Harney, | McMenamin, | Shafer, |
| Berger, | Hays, | Miller, | Silvert, |
| Blass, | Kalman, | Mullin, | Stevenson, |
| Camiel, | Keller, | Murray, | Stiefel, |
| Chapman, | Kessler, | Pechan, | Taylor, |
| Confair, | Koprivier, Jr., | Probert, | Van Sant, |
| DiSilvestro, | Kromer, | Ripp, | Wade, |
| Donolow, | Lane, | Rooney, | Wagner, |
| Ehrgood, | Madigan, | Ruth, | Walker, |
| Elliott, | Mallery, | Sarraf, | Watkins, |
| Flack, | McCreesh, | Scott, | Whalley, |
| Fleming, | McGinnis, | Seyler, | Wolfe, |

NAYS—2

| | |
|---------|---------|
| Mahady, | Weiner, |
|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2413—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2430—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2443—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Stevenson, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarraf, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2449—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wagner, |
| Harney, | McMenamin, | | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 63—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. WADE and WEINER offered the following amendments:

Amend Sec. 3 (Sec. 1040), page 2, line 17, by striking out "or"; Amend Sec. 3 (Sec. 1040), page 2, line 17, by inserting after "contest": "including those"; Amend Sec. 3 (Sec. 1040), page 2, line 18, by striking out "A DRAG RACE" and inserting: "drag races"; Amend Sec. 3 (Sec. 1040), page 3, line 2, by inserting after "of" where it appears the second time: "elapsed time superior performance or."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. WADE and WEINER offered the following amendment:

Amend Title, page 1, sixth line of Title, by striking out "COMMONLY" and inserting: "including those."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HB 117—Upon motion of Mr. BERGER, seconded by Mr. FLEMING, and agreed to, the bill was dropped from the Calendar.

HB 203—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

SB 331—Mr. BERGER. Mr. President, I move that

Senate Bill No. 331 be dropped from the Calendar for the reason that the provisions of this bill are now incorporated, by way of amendments, in a bill which has passed Third Reading.

Mr. FLEMING. Mr. President, I second the motion. The motion was agreed to.

Ordered, To be transcribed for a third reading.

HB 853—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. SEYLER, WEINER and PECHAN offered the following amendment:

Amend Sec. 1, page 2, lines 1 to 15, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, inasmuch as this issue is being handled in another place, and in another bill, which is presently in the custody of a Conference Committee, it was felt wise by the three of us that these amendments should go into the bill.

Mr. BERGER. Mr. President, I would suggest that if the amendments are adopted, the bill be read for the second time, as amended.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Messrs. SEYLER, WEINER and PECHAN offered the following amendments:

Amend Sec. 2, page 2, line 16, by striking out "2" and inserting: "1"; Amend Sec. 2, page 2, line 17, by striking out "OF THE"; Amend Sec. 2, page 2, line 17, by inserting after "ACT": "of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Messrs. SEYLER, WEINER and PECHAN offered the following amendment:

Amend Sec. 3, page 4, line 14, by striking out "3" and inserting: "2."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. SEYLER, WEINER and PECHAN offered the following amendment:

Amend Title, page 1, sixth and seventh lines of Title, by striking out "THE DETERMINATION OF REIMBURSEMENT AMOUNTS AND."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HB 866 and 927—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 1108—Mr. SEYLER. Mr. President, on behalf of Senator Hays and myself, I desire to offer amendments to this bill and move their adoption. After the amendments have been read, Mr. President, I ask to be recognized to explain them.

Messrs. SEYLER and HAYS offered the following amendments:

Amend Sec. 1, page 2, lines 1 to 17; page 3, lines 1 to 18; page 4, lines 1 to 4, by striking out all of said lines.

Amend Sec. 2, page 4, lines 5 and 6, by striking out all of said lines.

Amend Sec. 3, page 4, lines 7 to 20; page 5, lines 1 and 2, by striking out all of said lines.

Amend Sec. 4, page 5, line 3, by striking out "4" and inserting: "1."

Amend Sec. 4, page 5, line 4, by striking out "OF THE ACT" and inserting: "act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949."

Amend Sec. 4 (Sec. 2501), page 5, line 8, by striking out the brackets before and after "of a school district."

Amend Sec. 4 (Sec. 2501), page 5, lines 9 and 10, by striking out "WHO ARE RESIDENTS OF A GIVEN SCHOOL DISTRICT AND ARE EITHER."

Amend Sec. 4 (Sec. 2501), page 5, line 10, by striking out the bracket before "Commonwealth."

Amend Sec. 4 (Sec. 2501), page 5, line 11, by inserting a bracket before "except."

Amend Sec. 4 (Sec. 2501), page 5, lines 16 to 19; page 6, lines 1 to 8, by striking out "DISTRICT OR JOINT" in line 16, all of lines 17 to 19 page 5 and all of lines 1 to 8, page 6.

Amend Sec. 4 (Sec. 2501), page 6, line 12, by striking out the brackets before and after "unit."

Amend Sec. 4 (Sec. 2501), page 6, line 12, by striking out "UNITS."

Amend Sec. 4 (Sec. 2501), page 7, line 14, by striking out "FOR THE SCHOOL YEAR 1958-1959."

Amend Sec. 4 (Sec. 2501), page 7, line 15, by inserting after "(\$5800)": "six thousand three hundred dollars for the school year 1958-1959 and six thousand nine hundred dollars (\$6900)."

Amend Sec. 4 (Sec. 2501), page 7, lines 17 and 18, by striking out "SIX THOUSAND TWO HUNDRED DOLLARS (\$6200)."

Amend Sec. 4 (Sec. 2501), page 8, by inserting between lines 8 and 9: "(5.1) "Standard Reimbursement Fraction." The Department of Public Instruction shall compute the standard reimbursement fraction of each school district annually in the month of December.

"The standard reimbursement fraction of each school district shall be computed for the school year 1958-1959 by subtracting from six thousand three hundred dollars (\$6300), an amount to be determined by multiplying the school district's valuation per district teaching unit by forty-nine ten thousandths (.0049) and dividing the differ-

ence so obtained by six thousand three hundred dollars (\$6300), and for the school year 1959-1960 and for each school year thereafter by subtracting from six thousand nine hundred dollars (\$6900) an amount to be determined by multiplying the school district's valuation per district teaching unit by fifty-four ten thousandths (.0054) and dividing the difference so obtained by six thousand nine hundred dollars (\$6900). The school district's valuation shall be the valuation placed upon its taxable real property by the State Tax Equalization Board."

Amend Sec. 4 (Sec. 2501), page 9, line 5, by inserting a bracket before "(6)."

Amend Sec. 4 (Sec. 2501), page 9, line 10, by striking out the bracket before "1955."

Amend Sec. 4 (Sec. 2501), page 9, line 19, by striking out the bracket after "year" where it appears the second time.

Amend Sec. 4 (Sec. 2501), page 10, line 1, by striking out the bracket before "thereafter" and after "Assembly."

Amend Sec. 4 (Sec. 2501), page 10, line 1, by striking out "1958-1959."

Amend Sec. 4 (Sec. 2501), page 10, lines 6 to 13, by striking out "FOR THE SCHOOL YEAR" in line 6 and all of lines 7 to 13.

Amend Sec. 4 (Sec. 2501), page 10, line 14, by striking out the bracket before "In."

Amend Sec. 4 (Sec. 2501), page 10, line 20, by striking out the bracket after "dollars."

Amend Sec. 4 (Sec. 2501), page 11, line 1, by striking out the bracket before "\$5300."

Amend Sec. 4 (Sec. 2501), page 11, line 1, by striking out the bracket before "(\$5300)."

Amend Sec. 4 (Sec. 2501), page 11, line 9, by striking out the bracket after "(\$5800)."

Amend Sec. 4 (Sec. 2501), page 11, line 18, by striking out the brackets before and after "or vocational school district's."

Amend Sec. 4 (Sec. 2501), page 11, line 19, by inserting a bracket after "(.004)."

Amend Sec. 4 (Sec. 2501), page 12, lines 1 and 2, by inserting a bracket before "and" in line 1 and after "(\$5100)" in line 2.

Amend Bill, page 12, lines 3 to 20; page 13, lines 1 to 19; page 14, lines 1 to 20; page 15, lines 1 to 19; page 16, lines 1 to 20; page 17, lines 1 to 17; page 18, lines 1 to 20; page 19, lines 1 to 19; page 20, lines 1 to 20; page 21, lines 1 to 20; page 22, lines 1 to 20; page 23, lines 1 to 19; page 24, lines 1 to 20; page 25, lines 1 to 9, by striking out all of said lines and inserting:

"(8) 'The [Capital Account] Adjusted Standard Reimbursement Fraction.' The Department of Public Instruction shall compute the [capital account] adjusted standard reimbursement fraction of each school district annually in the month of December.

"The [capital account] adjusted standard reimbursement fraction [of each school district] shall be computed [(i) by subtracting from four thousand five hundred dollars (\$4500) an amount to be determined by multiplying the school district's valuation per district teaching unit by four one thousandths (.004) and dividing the difference so obtained by four thousand five hundred dollars (\$4500) and (ii)] as follows in the case of payments for

every lease or contract entered into or approved by the Superintendent of Public Instruction prior to August 26, 1953, and in the case of payments for every lease approved by the Department of Public Instruction on or after August 26, 1953, but prior to March 22, 1956, if the [quotient obtained in (i) above] standard reimbursement fraction is greater than five thousand nine hundred ninety-nine ten thousandths (.5999) by multiplying the [quotient obtained in (i) above] standard reimbursement fraction by itself or if the [quotient obtained in (i) above] standard reimbursement fraction is less than six thousand ten-thousandths (.6000) by multiplying the [quotient obtained in (i) above] standard reimbursement fraction by fifty one-hundredths (.50): Provided, That if the [quotient obtained in (i) above] standard reimbursement fraction is negative it shall be treated as zero (0) or [(iii)] in the case of payments on account of buildings for which the lease is approved on or after March 22, 1956, or in the case of payments on account of the incurring of indebtedness by the issuance of general obligation bonds on account of buildings for which the general construction contract is awarded on or after March 22, 1956 if the [quotient obtained in (i) above] standard reimbursement fraction is greater than four thousand nine hundred ninety-nine ten-thousandths (.4999) by multiplying the [quotient obtained in (i) above] standard reimbursement fraction by itself or if the [quotient obtained in (i) above] standard reimbursement fraction is less than five thousand ten-thousandths (.5000) by multiplying the [quotient obtained in (i) above] standard reimbursement fraction by itself and and by fifty one-hundredths (.50) and adding the product to the [quotient obtained in (i) above] standard reimbursement fraction multiplied by twenty-five one hundredths (.25): Provided, That if the [quotient obtained in (i) above] standard reimbursement fraction is negative it shall be treated as zero (0).

"(9) 'Valuation.' A school district's [or vocational school district's] valuation to be used for purposes of computing the [basic account] standard reimbursement fraction [the subsidiary account reimbursement fraction and the capital account reimbursement fraction] shall be the valuation placed upon its taxable real property by the State Tax Equalization Board.

"(10) 'Number of District Teaching Units for Purposes of Determination of [Basic Account] Standard Reimbursement Fraction; [Subsidiary Account Reimbursement Fraction and Capital Account Reimbursement Fraction].' A school district's [or vocational school district's] number of district teaching units for purposes of determination of the [basic account] standard reimbursement fraction [the subsidiary account reimbursement fraction and the capital account reimbursement fraction] shall be obtained as follows: (i) divided by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term; (ii) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term; and (iii) add the quotients obtained under (i) and (ii) above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (i) and (ii) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the

district. No school district [or vocational school district] shall be credited with less than one teaching unit. [No school district or vocational school district shall be assigned a basic account standard reimbursement fraction lower in value than the minimum instruction subsidy divided by the maximum instruction subsidy.] All one-room schools operated in accordance with the provisions of this act shall, if their operation is approved by the State Council of Education, be credited with at least one teaching unit. The State Council of Education shall withhold its approval of any one-room, one-teacher school unless (i) topography, distance or condition of roads are such as to make transportation of pupils impractical; or (ii) it is impossible to accommodate pupils in existing graded schools in the district or other districts; or (iii) the district is financially unable to construct a consolidated school.

"(11) [Actual] Reimbursable Instruction Expense Per Elementary Teaching Unit; [Actual] Reimbursable Instruction Expense Per Secondary Teaching Unit; [Actual] Reimbursable Instruction Expense Per Joint Elementary Teaching Unit; [Actual] Reimbursable Instruction Expense Per Joint Secondary Teaching Unit; [Actual] Reimbursable Instruction Expense Per Area Technical School Teaching Unit.' In [1958] 1959 in the month of [September] December and thereafter annually in the month of [September] December, the Department of Public Instruction shall calculate for each school district for the immediately preceding school year the [actual] reimbursable instruction expense per elementary teaching unit for elementary pupils educated in the district's public school the [actual] reimbursable instruction expense per secondary teaching unit for secondary pupils educated in the district's public schools the [actual] reimbursable instruction expense per joint elementary teaching unit for elementary pupils educated in elementary schools of jointures of which the district is a member the [actual] reimbursable instruction expense per joint secondary teaching unit for secondary pupils educated in secondary schools of jointures of which the district is a member the [actual] reimbursable instruction expense per area technical school teaching unit for pupils educated in area technical schools in which the district participates the [actual] reimbursable instruction expense per elementary teaching unit for elementary pupils residing in the district and educated at the expense of their district of residence in the public schools of other districts within the Commonwealth and the [actual] reimbursable instruction expense per secondary teaching unit for secondary pupils residing in the district and educated at the expense of their district of residence in the public schools of other districts within the Commonwealth. In each case [actual] reimbursable instruction expense per teaching unit shall be the sum of (i) and (ii) below but in no case shall include expenses for debt service or for capital outlay [rentals of capital facilities and equipment, salaries and expenses for school nurses, for medical and dental services, for driver education courses, for reimbursable transportation of pupils, for tuition paid to other school districts, for reimbursable board and lodging in lieu of transportation, for salaries of directors and supervisors of special education, public school psychologists, principals of special schools and assistants, teachers of approved special classes for phys-

ically and mentally handicapped children, clerks and assistants employed in programs for special education for school district contributions to the retirement fund on behalf of directors and supervisors of special education public school psychologists, principals of special schools and assistants, teachers of approved special classes for physically and mentally handicapped children, clerks and assistants employed in programs for special education, for the cost of textbooks and supplies of the second class used in special education classes or schools, for extension schools and classes for extension, recreation, activities for vocational extension education or for instruction of homebound children]. (i) Expenses of general control per teaching unit. Expenses of general control shall include salaries, supplies and other expenses of the secretary's office, commission or salary of treasurer, tax collector, auditors and legal service expenses of census enumeration and other expenses of business administration, salaries of the superintendent of schools and clerks of the superintendent of schools, expenses of supplies and other expenses of the superintendent of schools' office and other expenses of general control. In the case of computation of [actual] reimbursable instruction expense per elementary teaching unit for district, pupils educated in the schools of the district and for district pupils educated in the public schools of other districts within the Commonwealth [and actual] at the expense of their district of residence and reimbursable instruction expense per secondary teaching unit for district pupils educated in the schools of the district and for district pupils educated in the public schools of other districts within the Commonwealth at the expense of their district of residence expenses of general control per teaching unit shall be calculated by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the number of all pupils, except kindergarten, who are residents of the school district and are in average daily membership in the public schools of the Commonwealth at the expense of their district of residence. In the case of computation of [actual] reimbursable instruction expense per joint elementary teaching unit and [actual] reimbursable instruction expense per joint secondary teaching unit expenses of general control per teaching unit shall be calculated by dividing the foregoing listed expenses of general control of the school [district] system by the number of teaching units based on the number of all pupils, except kindergarten, who are residents of the school [district] system and are in average daily membership in the public schools of the Commonwealth at the expense of their district of residence or of the joint system of which their district is a member and adding thereto the quotient obtained by dividing the foregoing listed expenses of general control of the joint school [district] system by the number of joint teaching units based on the number of pupils who are residents of school districts that are members of the joint school [district] system and are in average daily membership in the schools of the joint school [district] system. In the case of computation of [actual] reimbursable instruction expense per area technical school teaching unit expenses of general control per teaching unit shall be computed by dividing the foregoing listed expenses of general control of the school district by the number of

teaching units based on the total number of all pupils who are residents of the school district and are in average daily membership at the expense of their district of residence in the public schools of the Commonwealth and adding thereto the quotient obtained by dividing the foregoing listed expenses of general control of the area technical school by the number of area technical school teaching units based on the number of pupils who are residents of districts participating in the area technical school and are in average daily membership in the area technical school. (ii) Expenses of the school district, joint school [district] system, area technical school or [such] other school district within the Commonwealth in which the districts' pupils are educated at the expense of their district of residence as the case may be on account of instruction auxiliary agencies and coordinate activities operation of school plant maintenance of school plant and fixed charges regular special homebound driver training and non-adult vocational programs of each and each separately for elementary and for secondary schools per teaching unit calculated by dividing the sums of (a), (b), (c), (d) and (e) below by the numbers of elementary, secondary, joint elementary, joint secondary and area technical school teaching units respectively based on the number of all pupils on an equivalent full-time basis in average daily membership in the public schools of the district or joint [district] system or the area technical school or other school district within the Commonwealth in which pupils of the district are educated at the expense of their district of residence as the case may be (a) expenses of instruction [to include] including salaries of supervisors and other expenses of supervisors, salaries of principals and principals' clerks, supplies of the principals' offices, other expenses of supervision, teachers' and teacher-librarians' salaries, textbooks, library books, supplies used in instruction, including library supplies, expenses of attending teachers' institutes or for programs of in-service education for the improvement of teachers, commencement exercise and exhibit expenses and other expenses of instruction; (b) expenses of auxiliary agencies and coordinate activities [to include] including salaries, books, repairs, replacement and other expenses of public libraries and [non-reimbursable] transportation fares and board and lodging in lieu of transportation and provisions for tubercular and under-nourished children, community lectures, social centers and recreation enforcement of attendance, medical and dental services, salaries of dental hygienists and salaries for nurse service, other expenses of dental hygienists and nurse service, and other expenses of auxiliary agencies and coordinate activities; (c) expenses of operation of school plant [to include] including wages of janitors and other employes, fuel, water, light, power, janitors' supplies, care of grounds, services other than personal, telephone rental and other expenses of operation; (d) expenses of maintenance of school plant [to include] including upkeep of grounds, repair of buildings, repairs and replacements of heating, plumbing, lighting apparatus used in instruction, furniture, transportation vehicles and other equipment; (e) expenses of fixed charges [to include] including payments made to the retirement board, Social Security, rent of capital facilities and equipment, all insurance, fidelity bond premiums and other fixed charges.

"From this sum shall be deducted the amount of

Commonwealth reimbursements to the district during the year of operation for transportation, for board and lodging in lieu of transportation, for medical services, for nurse service, for driver training for non-adult vocational education, for special education for homebound instruction, rental for capital facilities and equipment, cost of dental services and for tuition paid school districts or joint school boards."

Amend Sec. 6, page 25, lines 10 and 11 by striking out all of line 10, "of the act" in line 11 and inserting: "Section 2. Sections 2502, 2502.1, 2503 (a), 2504.1 and 2510 of the act, added or."

Amend Sec. 6 (Sec. 2502), page 25, line 16 by striking out the brackets before and after "or."

Amend Sec. 6 (Sec. 2502), page 25, lines 16 to 18 by striking out "County-Op-" in line 16, all of line 17 and "ated special class secondary" in line 18.

Amend Sec. 6 (Sec. 2502), page 25, line 19 by striking out the brackets before and after "all."

Amend Sec. 6 (Sec. 2502), page 25, line 19 by striking out "District."

Amend Sec. 6 (Sec. 2502), page 25, line 20 by striking out the brackets before "are" and after "and."

Amend Sec. 6 (Sec. 2502), page 26, line 1 by striking out the brackets before and after "or."

Amend Sec. 6 (Sec. 2502), page 26, line 2 by striking out the brackets before and after "or."

Amend Sec. 6, (Sec. 2502), page 26, lines 2 to 4 by striking out "or special classes for handicapped children operated by a county board of school directors."

Amend Sec. 6 (Sec. 2502), page 26, line 5 by striking out "equivalent full-time."

Amend Sec. 6 (Sec. 2502), page 26, line 8 by striking out the bracket before "all."

Amend Sec. 6 (Sec. 2502), page 26, line 9 by striking out "]" district pupils".

Amend Sec. 6 (Sec. 2502), page 26, line 11 by inserting a bracket before "by."

Amend Sec. 6 (Sec. 2502), page 26, line 12 by striking out the bracket before "for."

Amend Sec. 6 (Sec. 2502), page 26, line 13 by inserting a bracket after "(\$4900)."

Amend Sec. 6 (Sec. 2502), page 26, line 14 by inserting after "by": "the district's basic account standard reimbursement fraction and by."

Amend Sec. 6 (Sec. 2502), page 26, line 16 by inserting a bracket before "and."

Amend Sec. 6 (Sec. 2502), page 26, line 16 by inserting after "by": "the district's basic account standard reimbursement fraction and by."

Amend Sec. 6 (Sec. 2502), page 26, line 19 and 20; page 27, line 1 by striking out "county-operated special class elementary county-operated special class secondary."

Amend Sec. 6 (Sec. 2502), page 27, line 4 by striking out "for the school year 1958-1959."

Amend Sec. 6 (Sec. 2502), page 27, line 13 by inserting after "district]": "for the school year 1958-1959 by the lesser of reimbursable instruction expense per elementary secondary, joint elementary, joint secondary area technical school elementary educated at the expense of their district of residence in the public schools of other districts within the Commonwealth secondary educated at the ex-

pense of their district of residence in the public schools of other districts within the Commonwealth teaching unit each as the case may be or six thousand three hundred dollars (\$6300) the sum of the above products less the district's total valuation as placed upon its taxable real property by the State Tax Equalization Board multiplied by forty-nine ten-thousandths (.0049) and for the school year 1959-1960 and for each school year thereafter by the lesser of reimbursable instruction expense per elementary, secondary, joint elementary, joint secondary or a technical school elementary educated at the expense of their district of residence in the public schools of other districts within the Commonwealth teaching unit each as the case may be or six thousand nine hundred dollars (\$6900) the sum of the above products less the district's total valuation as placed upon its taxable real property by the State Tax Equalization Board multiplied by fifty-four ten-thousandths (.0054)."

Amend Sec. 6 (Sec. 2502), page 28, lines 13 to 19; page 29, lines 1 to 12 by striking out all of said lines and inserting: "Provided further That for the school year [1957-1958] 1958-1959 and for each school year thereafter additional teaching units shall be based on the numbers of all pupils, except kindergarten who are residents of the district and are in average daily membership at the expense of their district of residence in the elementary schools of other districts in the Commonwealth or who are in average daily membership at the expense of their district of residence in the secondary schools of other districts within the Commonwealth. [Further Provided That in the case of such pupils teaching units shall be calculated on the basis of thirty-five (35) elementary pupils and twenty-six (26) secondary pupils per teaching unit respectively]."

Amend Bill, page 30, by inserting after line 9:

"Section 2502.1. Supplemental Payments.—The following supplemental payments shall be made to districts of the third and fourth classes and to such other districts as have been approved by the Department of Public Instruction prior to July 1, 1954 that are the district of residence on account of pupils enrolled in elementary schools, except kindergarten or high schools operated by joint boards of which the district of residence is a member pupils enrolled in area technical schools in which the district of residence participates and pupils enrolled in schools operated by union or merged districts.

"(1) In the case of joint elementary or high schools five hundred dollars (\$500) per teaching unit multiplied by the [subsidiary account] standard reimbursement fraction of the district of residence.

"(2) In the case of elementary or high schools operated by union or merged districts eight hundred dollars (\$800) per teaching unit multiplied by the district's [subsidiary account] standard reimbursement fraction.

"(3) In the case of area technical schools eight hundred dollars (\$800) per teaching unit multiplied by the [subsidiary account] standard reimbursement fraction of the district of residence.

"In all cases the supplemental payments specified in the foregoing shall be made only for organizations established and operated in accordance with standards and regula-

tions prescribed by the State Council of Education and approved by the Department of Public Instruction."

Amend Sec. 6 (Sec. 2503), page 32, line 13, by inserting after "pupils": "at the expense of the district of residence."

Amend Sec. 6 (Sec. 2503), page 32, line 14, by inserting after "a": "public."

Amend Sec. 6 (Sec. 2503), page 32, line 16, by inserting brackets before and after "1957-1958" and inserting immediately thereafter: "1958-1959."

Amend Sec. 6 (Sec. 2503), page 32, line 19, by inserting after "such": "public."

Amend Sec. 6 (Sec. 2503), page 32, line 20, by inserting a bracket before "subsidiary."

Amend Sec. 6 (Sec. 2503), page 33, line 1, by inserting a bracket after "account."

Amend Sec. 6 (Sec. 2503), page 33, line 1, by inserting after "account": "standard."

Amend Sec. 6, page 33, by inserting after line 2:

"Section 2504.1. Payments on Account of Standardized Driver-Education Programs. Every school district complying with the standardized driver-education program established by the department shall be paid by the Commonwealth from the Motor License Fund an amount to be determined by multiplying the number of pupils in average daily membership in standardized driver-education programs by the district's [basic account] standard reimbursement fraction [and for the school year 1954-1955 by thirty (\$30) dollars] and for the school year 1955-1956 and for each school year thereafter up to thirty-two (\$32) dollars. No school shall receive less than ten (\$10) dollars per pupil in driving training education."

Amend Sec. 7, page 33, lines 14 to 18; page 34, lines 1 to 14, by striking out all of said lines.

Amend Sec. 8, page 34, lines 15 and 16 by striking out both of said lines.

Amend Sec. 8 (Sec. 2510), page 35, line 5, by striking out the bracket after "and" and before "there-."

Amend Sec. 8 (Sec. 2510), page 35, line 11, by inserting brackets before and after "subsidiary account" and inserting immediately thereafter: "standard."

Amend Bill, page 35, by inserting after line 11:

"Section 3. The first paragraph of section 2541 of the act, amended June 21, 1957 (P. L. 385), and July 13, 1957 (P. L. 864), is amended to read:

"Section 2541. Payments on Account of Pupil Transportation. School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district [subsidiary account] standard reimbursement fraction. In addition thereto the Commonwealth shall pay to school districts which own their vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the approved cost at which the district acquired the vehicle for which depreciation is claimed. With respect to vehicles purchased prior to January 1, 1956, the number of depreciation payments shall be limited to ten such payments. With respect to vehicles purchased on or after January

1, 1956, the annual depreciation charge shall not exceed seven hundred dollars (\$700) for such vehicles. The number of annual depreciation payments shall be limited so that the total amount of such payments shall not exceed the cost of the vehicle as approved by the Department of Public Instruction at the time of the purchase. In no case shall the Commonwealth pay in depreciation charges more than ten thousand five hundred dollars (\$10,500) for any one vehicle.

"Section 4. Sections 2542 and 2572 of the act, amended July 13, 1957 (P. L. 864), are amended to read:

"Section 2542. Board and Lodging in Lieu of Transportation.—In any case where the Commonwealth is required to reimburse any school district on account of pupil transportation and the school district in lieu of such transportation is authorized to and does pay for suitable board and lodging for any pupil the Commonwealth shall pay to the school district an amount to be determined by multiplying the cost of such board and lodging by the districts [subsidiary account] standard reimbursement fraction: Provided, That is no case shall the Commonwealth's share of the cost exceed one dollar (\$1) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five (5) days in any one week.

"Section 2572. State Public School Building Authority and Municipality Authority and Nonprofit Corporation Leases [Heretofore] Approved Prior to March 22, 1956.—(a) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings or providing educational equipment under the provisions of the State Public School Building Authority Act for every lease or contract entered into or approved by the Superintendent of Public Instruction prior to August 26, 1953, and to each school district which shall have entered into a lease approved by the Department of Public Instruction prior to August 26, 1953, with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing educational equipment, an amount to be determined by multiplying the school district's [capital account] adjusted standard reimbursement fraction by the annual rental charge as fixed by the State Public School Building Authority or by the annual rental or share thereof provided for under its lease with such municipality authority or non-profit corporation as the case may be.

"(b) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings under the provisions of the State Public School Building Authority Act for every lease approved by the Department of Public Instruction on to each school district which shall have entered into a lease approved by the Department of Public Instruction on or after August 26, 1953, but prior to March 22, 1956, or after August 26, 1953, but prior to March 22, 1956, and with a municipality authority or with a non-profit corporation for the rental of a school building or buildings an amount to be determined by multiplying the school district's [capital account] adjusted standard reimbursement fraction by that portion of the annual rental charge or share thereof provided for under its lease with the State Public School Building Authority or municipality authority or non-profit corporation, as the case may be, sufficient during the period of the

lease to pay the cost of acquiring or constructing the school buildings, the cost of acquiring the land upon which the school buildings are situate and the interest on such cost.

"Section 5. Section 2575 of the act, amended July 11, 1957 (P. L. 775), and July 13, 1957 (P. L. 864), is amended to read:

"Section 2575. Payments on Account of Leases [Hereafter] Approved On or after March 22, 1956, and on Account of Sinking Fund Charges on Indebtedness for School Buildings [Hereafter] Thereafter Constructed.—The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings under the provisions of the Public School Building Authority Act, the Municipality Authority Act, section 758 of the Public School Code of 1949, or section 791 of the Public School Code of 1949, on account of buildings for which the lease is approved on or after March 2, 1956, or through the incurring of indebtedness by the issuance of general obligation bonds on account of buildings for which the general construction contract is awarded on or after March 22, 1956, an amount to be determined by multiplying the district's [capital account] adjusted standard reimbursement fraction by the approved reimbursable rental or approved reimbursable sinking charge.

"Section 6. Section 2575.1 of the act, added July 11, 1957 (P. L. 775), is amended to read:

"Section 2575.1. Payments on Account of Building Costs.—The Commonwealth shall pay to any school district making a preliminary payment on account of the approved building construction cost as authorized by clause (5) of section 791 of this act an amount determined by multiplying the district's [capital account] adjusted standard reimbursement fraction by the amount of the payment made by the school district.

"The payment required by this section shall be made for the year in which the school district made its payment on account of the approved building construction cost.

"Section 7. The sum of fifty-five million dollars (\$55,000,000), or as much thereof as may be necessary, is hereby appropriated to the Department of Public Instruction for the payment of the reimbursements to school districts in the two years beginning June 1, 1959, under the provisions of this act.

"Section 8. This act shall take effect the first Monday of July, 1959, and shall apply to all Commonwealth payments for the school year 1958-1959 and for each school year thereafter but shall not apply to payments for the school year 1957-1958. The law as it existed before, the amendments and repeals made by this act shall continue in force for the purpose of payments for the school year 1957-1958 and for each year prior thereto."

Amend Title, page 1, second and third from last lines of Title, by striking out "increasing" and inserting: "providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising."

Amend Title, page 1, last line of Title; page 2, first line of Title, by striking out "and changing the basis for reimbursement in certain cases."

On the question,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President—

Mr. BERGER. Mr. President, will the gentleman yield?

Mr. SEYLER. Mr. President, for what purpose does the gentleman request me to yield?

Mr. BERGER. Mr. President, I was about to suggest that before taking up these amendments, we take a recess for the purpose of having a Caucus.

Mr. SEYLER. Mr. President, I have no objection to a recess. I will yield for that purpose.

The PRESIDENT. Thank you. The gentleman will have the floor when we return from recess.

RECESS

Mr. BERGER. Mr. President, I now request a recess of the Senate for one hour and a half for the purpose of holding a Republican Caucus, to be held in the Caucus Room on the first floor.

Mr. WEINER. Mr. President, during that time, a Democratic Caucus will be held in the Caucus Room on the fourth floor.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate for one hour and a half.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

The Chair now recognizes Senator Seyler in reference to the amendments offered, and read by the Clerk, to House Bill No. 1108 prior to the recess.

And the question recurring,

Will the Senate agree to the amendments?

Mr. SEYLER. Mr. President, the amendments we are offering are, to my mind, very important amendments to a very important bill. It is a bill, Mr. President, which perhaps, more than any other bill in this Session, has caught the attention and appealed to the imagination of the people of this Commonwealth.

I am going to first state the purpose of these amendments—what they do—and then attempt to tell our purpose in offering these amendments to this bill.

This bill, first of all, as it stands now provides no aid to schools within the present year. I think it has been well publicized and it is well understood by people who are on school boards, by teachers and by parents, that there are many school districts in this Commonwealth in this year that have been counting on some form of assistance from the Commonwealth in order to meet their budgets for the present year. The amendments presently before the Senate would restore the aid to school districts in the current year.

The second significant thing that would be accomplished by these amendments would be to restore the simplification of the formula by which reimbursement is given so as to make it understandable, certainly, to those people who are involved in school district work, school boards and so on, and to most of the general public who took the time to inform themselves about how it works. This, to my mind, would be a great asset because in the reimbursement formula, the amendment by which school districts have been reimbursed heretofore has always re-

mained something of a mystery. I have found that even those very well informed people, the gentlemen of the press, at times get a bit groggy when they are considering amendments or some other legislation which deals with the reimbursement formula. Therefore, I believe it would be a great asset if we could have this simplification.

Thirdly, Mr. President, these amendments would restore to the bill the amount of appropriation which was in the bill when it came to us from the House of Representatives, which is a matter of about \$55,000,000.

I am not here today, Mr. President, to argue with anyone that this represents what the Legislature should do in the way of increased aid for schools. I am not here to argue, Mr. President, even that this is an adequate provision. However, I think in the process which began with the bill as it was introduced at the instigation of the P.S.E.A., the School Directors Association and other interested groups, the expectations of the people who really hoped to do something for education at this Session have been gradually eroded by the practical aspects of the fiscal situation of the Commonwealth.

I do not think \$55,000,000 is an adequate figure, but I think that at this junction it represents a figure which would be a great deal more acceptable and make more nearly possible a good educational program than the present provisions of House Bill No. 1108 as it stands without these amendments.

Mr. President, what I have just stated are the provisions of the amendments. When I have finished discussing this bill, Mr. President, I am going to ask for a roll call. I am going to do this because I believe there are millions of people in this Commonwealth who are sincerely and deeply interested in the results of this vote. I have named some of the groups that are interested—school directors, educators and parent-teacher associations—but I would say there are a great many of the reading public, who perhaps do not belong to any of these organizations, who are very much interested in it. The communications I have received indicate that this is true.

I will also say, Mr. President, at this juncture, that this is the first time in my memory since I have been in the Legislature—which is not nearly as long as some people have been here, but represents a rather large amount of my life—that we have had a bill on which I received the kind of letters and communications I have received on this bill. Heretofore, Mr. President, I have had many interested people write to me and say, "Vote for more money for schools." However, this is the first time in my experience that I recall that the letters have also said: "We expect you to support an adequate program so that this appropriation can be met by revenue."

Mr. President, I believe that this figure of \$55,000,000 is a very possible figure to finance. I would say that on my part and on the part of my cosponsor, Senator Hays, the introduction of these amendments implies a willingness to support a tax program which will furnish the necessary revenue. I would say to any gentleman on the floor, on either side of this Senate, that if he votes for these amendments, I hope he is voting for them with the understanding that he will also support the necessary tax measures which are available to us to raise this amount of money.

There is one very obvious tax bill. The figure of \$55,-

000,000 brings one to mind immediately. This, of course, is House Bill No. 656, which is the bill which would place a tax upon intangible personal property or, in other words, stocks, bonds and other securities. This bill would meet that need, and all that is necessary for us to pass that bill is to have it voted from committee. It is here presently with us; time remains and this could be the answer. However, if there are gentlemen who say they do not care for that tax program, there is another means of meeting this \$55,000,000 bill with a revenue provision. Senator Pechan has loudly and, at great length, extolled the virtues of a bill of his which represents a change in the placement of the tax on beer. I now say to Senator Pechan, and to the many Members of his Caucus who no doubt have been influenced by him, that we stand ready—that I stand ready and Senator Hays stands ready—to adopt that as a means of financing. That bill, I think Senator Pechan told me, would bring in about \$22,000,000. In addition to that,—and necessarily adding to that because that would not meet the whole cost of this by itself—there are a set of amendments which could be inserted which would place a tax on services. As I understand it, those amendments would bring in \$30,000,000, plus.

I am convinced that the two bills together represent another means, if the gentlemen do not like the stocks and bonds tax, of bringing in the necessary revenue to meet the cost of this bill. Both of these taxes are readily available. They are in the Senate. They are in a Senate Committee. They are in the hands of Senators. If good will is present, and if Senators really believe that we need to make adequate provision for education now, the means are at hand in the form of these amendments and in the form of those bills which are in our possession. The time is available. It can be done. All that is needed is the desire and good will on the part of the Senators in this Senate.

Mr. President, the reason we are going to ask for a roll call is because we have a conviction that the people are looking to us, as Senators, to make a fateful decision. I want to say to any people who are interested that this is not a political bill. Therefore, we should not be thinking politically. I also want to say to them that I know Senators on both sides of this Senate, who are interested in education. There are fathers here who are interested in the education of their grandchildren. There are many people here who are patriotic citizens and who realize that the United States, of which Pennsylvania, of course, is a part, is engaged in a great conflict which is not necessarily a conflict which will involve the atom bomb or the other means of destruction in our hands, or armies or navies, but rather a race to see whether the United States can keep up in educational provision for the development of scientists and of the other men of learning who are necessary to meet on their own ground that other great nation of the world which is devoting such a large part of its national resources to the job of education. I think there are patriotic Senators on this floor who realize that. They are convinced that unless we go into action and do something substantial, and just quit talking about it, we will not be able to meet that challenge.

The question we are raising on the floor in these amendments and the question that we are asking every Senator

to answer by his vote on this roll call is, first of all, who among these Senators wants to provide reasonable aid for schools now when it is needed. Who among these Senators believes that the task of education in Pennsylvania is important enough to cast aside personal or political reasons or motivations and vote on this bill because it is a bill that is necessary and desired by the people of Pennsylvania? Who in this Senate is willing to signify by a vote on these amendments that he also accepts our thesis that the means of financing these amendments—the tax measures necessary—are here at hand and can be produced, and that he will help by his vote to so produce them and pass them?

I have a great deal of sympathy with Senators who say: "I, personally, would like to vote for these bills. I believe in education. I am a patriotic citizen. I am interested in the welfare of our children and our Nation and our State, but I have not been able to register my vote on this."

Mr. President, they are in a position today to register their vote. We are hereby giving them the opportunity. Mr. President, I would warn such Senators that this may be the last chance in this present Session to get on the record as being in favor of adequate provision for education in Pennsylvania, because I am convinced that to vote "no" on these amendments indicates just the opposite.

Some people complain, the general public and particularly those who are interested and are in organizations favoring such legislation, or those who take the trouble to write, that they are concerned because of what goes on in caucuses, in conferences and in committees. They do not understand how these things go on. They do not understand where the decisive vote is cast. They have a point, because of times on this floor we are presented only with the possibilities which are in the bill as it is presented to us by the committee after conferences and after caucuses, all of which, of course, is not in the public view.

Mr. President, here today, regardless of what has happened in caucuses, regardless of what has happened in committees, regardless of what has happened in conferences, the chips are down. We are here presenting an opportunity for those people who favor provision for an educational program to cast their vote for it. This vote, to my mind, will put each Senator on record as to how he stands for the support of public education.

I hope no Senator will try to say, "This vote on these amendments does not indicate my sentiments." This is no discharge resolution. We are not asking any Senator to violate the sacred system of committees. A Senator who believes in the committee system does not need to worry. He can vote freely for these amendments. I believe that we are in a situation here and we have a situation before us in public education in which we need to forget about political considerations. We ought to forget about block voting, and we ought to vote our convictions. If there is any man here, Mr. President, who feels that public education should not be supported, if there is any man here who feels that we are spending too much money on public education, if there is any man here who feels that we should not extend education to all of the people of our Commonwealth, and if there is any man here who feels that the one room school is adequate so let us not improve condition, I hope he will honestly vote "no" on these amendments, vote his sentiments and not be swayed by the fact

that he is a Member of a Party or any other group. If those are your sentiments, vote "no."

Let us be honest. Let us vote our real convictions. On the other hand, if your convictions are the opposite, then I hope your vote will indicate it.

Just to reiterate one thing, Mr. President, I have no way of binding people to vote on this and qualifying their vote. However, as for Senator Hays and myself, we are voting in favor of these amendments. We urge all others to vote in favor of these amendments with the understanding and stipulation that we, at the same time, will do all we can to bring to the floor and pass either one of the two suggested tax programs that I have mentioned or any other tax program that may be in the possession of this Senate, and for which there is time to make it feasible to provide it.

We are not asking for a phony bill which would raise the amount of money in the appropriation and do nothing about supplying the revenue needed to meet it. We do not believe in that kind of action. If there is anyone who has that in mind, who believes he wants to make a showing by voting for appropriations and is not willing to support an adequate revenue bill, I ask him to please vote "no" on the amendments. We want the votes of those people who are interested in a good educational program and are willing to vote not only for the appropriations, but also for the finances to support them.

Mr. President, I yield to my colleague, Senator Hays.

Mr. HAYS. Mr. President and Members of the Senate, I need not tell you that when you get in the batting order of second place, with the able Senator Seyler leading off, you really get in a position where you are up to sacrifice. I have been suited up since this bill was introduced on April 1, 1959, and so we are going to get into the game.

I would like to reiterate what Senator Seyler has said. We stand ready to support an adequate tax program to carry out the provisions of our amendments. We want the votes of those Senators who are willing to take a similar stand.

This is not a political matter. Just as we said earlier.—I think it was today—books and libraries are not a matter of politics, so school children and higher education are not and should not be. The vote in the House, it seems to me, on the bill in such form as we are trying to amend it back to, was 154 to 360. I am sure there are not 154 Members of our Party in the House.

While the financial aspects of this bill are important, I would like to reiterate another phase of the bill which I feel is almost as important. Senator Seyler touched on it, in part. Senator Pechan, the Senator from Armstrong County, told us yesterday with pride, and well deserved pride, that he had served for thirty years on the school board. I think my colleague from Berks County has a long period of service on a school board, also, and the Senator from Luzerne, Senator Murray, and there may be others. I remind you that just a little over a week ago in the 2,400 school districts in Pennsylvania, there were about 4,800 men and women who took the oath of office of school director for the ensuing six years. These, it seems to me, are among the most important civic citizens we have in the Commonwealth of Pennsylvania. They serve without pay. They serve without fear and without financial reward. It seems to me that as a General Assembly and as the Senate of Pennsylvania, we have a tremendous re-

sponsibility to make their work easier rather than more difficult. Therefore, I want to call your attention to that feature of the bill.

However, before I do that, I will have to pull out some old corn which I am sure is known to most of you about the school gossip and critic who went to a newly elected school board member and said, "Jim, do you know they have a curriculum in that school, to which you have been elected to the school board?" Jim said, "My goodness, do they have that?" The gossipier said, "Yes, they do." Jim replied, "I will do something about that. Wait until I get on that board. I will take that out."

For these new school directors, 4,800 of them who have been elected, if you do not pass these amendments, they are going to wake up and find they not only have a curriculum, but they have a basic account standard reimbursement fraction, they have a subsidiary account reimbursement fraction and they have a capital account reimbursement fraction. They have all of those things, and if you will vote, twenty-four of you, for these amendments, we will knock out those three things and simplify it in part, but not entirely. It seems to me we have an obligation to these men and women. It seems to me they are in the position in Pennsylvania of being the best interpreters of the public education program in Pennsylvania. We must rely on them. We must help them. It seems to me this is one step that we can take to reduce this three-headed monster until there is at least only one such category; namely, I think it carries the name "standard reimbursement fraction," which is simpler than any one of the other three.

Therefore, I urge you to vote for these amendments out of consideration to the 4,800 newly elected school directors and for the 12,000 school directors in the State of Pennsylvania. It is difficult for them.

We, in education, are accused of throwing petty geese at people, and we stand guilty in some respects, but I think we are doing better along that line. Here in the General Assembly, we have heard—Senator Seyler referred to the press misunderstanding this, and I have heard Philadelphia lawyers on this Senate floor and lawyers from some other distinguished and important cities of the State as well—of people who have difficulty with these various reimbursement fractions. Therefore, my first pleading to you is to vote for this bill for that reason.

There are financial aspects to this matter, also. As Senator Seyler has said, people are interested in this, and greatly interested in it. Perry Como, a well-known Pennsylvanian, says, "We get letters." Each of us receives letters and telegrams. I am not going to read all of these letters and telegrams. Basically, they say, "increase the support in House Bill No. 1108 and vote for a tax to support it." These letters and telegrams come from practically every school district in the two counties which I have the honor to represent. Most of the letters come from Parent-Teacher Associations, sometimes from teachers and sometimes from school directors. I have one from the Harmony Joint School Faculty Organization of Westover, Pennsylvania. These are important people who will have financial difficulty in meeting their budget this year if House Bill No. 1108 does not get endorsement with the amendments which we are offering. Here is one from the school district of Gulich Township in Clearfield County. Here are telegrams from the Clearfield Council of the

Parent-Teachers Association, from the Ramsey P.T.A., from the Woodward Township School Board, and so I might go on, but I shall not do that. You each have as many or more of these indications of popular support, and not only support but great need of these local school communities to carry on the program that they have set up for this particular year.

Yesterday, on the editorial page of the Harrisburg Patriot, in a column written by Jack Mabley under the heading of "The Good, Old Days Versus Today," I was interested in this writing which bears on the situation. This Jack Mabley, writing special to The Patriot, says:

"Taxes go up, debts go up, inflation is eating the dollar, and yet most of us eat better, are housed better, and have bigger cars."

I am not going to read the entire article and I am not taking anything out of context. However, the last paragraphs say:

"Here is a final economic note. An hour of schooling under a trained teacher costs an American parent 33 cents. An untrained baby sitter costs 50 cents or more.

"For the same 33 cents the citizen can get one milk shake, a gallon of gas, or one-sixth of a haircut.

"And he will spend less on education,"—and we will spend less on education—"than on our homes, drinking, smoking, automobiles, or recreation."

Education in Pennsylvania is not costing more than in other States. The data I have here would indicate that the estimated current expense, per pupil, in Pennsylvania, when this report was given, was \$370 per year. This puts us eighteenth among the fifty States. I think all of us think we rank higher on that level in the matter as far as wealth is concerned. If you will match that figure of \$370 for Pennsylvania with some of our neighbors who are competing with us for teachers from Pennsylvania, you will find that New York is spending \$535; New Jersey, \$463; District of Columbia, \$434; and Pennsylvania, \$370.

The need exists in the majority of the school districts in central Pennsylvania, if not in all Pennsylvania, for this additional support indicated by the \$55,000,000 amount in the amendments which we are offering.

President Eisenhower is in Europe and other parts of the world mending our international fences. I am sure all of us wish him success—and he is having success—in this undertaking. I think most of us realize that this is only a veneer job; that there is something more basic than sending our President on a good will tour and that this may extend the time that we have to get ready, but it is not a cure. As one political sage said, "In a political contest, the person who comes in second never takes the oath of office." I think we must admit that in any international race, a similar consequence may be.

Therefore, I think all of us in our hearts believe that the important battle is not being fought on the launching pads at Cape Canaveral, in California or in Russia, because there are more powerful things than moons and satellites. We are told, and we believe, that ideas are more important than these physical things, and ideas permeate the minds of men. What we are really working for, and what this contest is about, is the minds of men. Therefore, the real launching pads for the defense of this Country, I

submit, are not in Florida and California, but the launching pads are in the classrooms, in the libraries and in the higher institutions of the United States, and Pennsylvania must carry its full share of this burden. This \$55,000,000 would be a partial effort to make us better able to carry our load.

This week, for the second time, I must remind you as Senator Seyler has done—we have been voting on so many discharge resolutions—that this is not a discharge resolution. This is sort of an open and shut thing. You either think that education in Pennsylvania deserves at least \$55,000,000 more to carry on its program, or you do not. Each of us, I am sure, in the course of our term of office, appear before P.T.A.'s, before service clubs, before religious groups and before fraternal groups and give our lip service to how important we think education is. We sit in churches and synagogues and we shake our heads with approval when the speaker pays tribute to the value of education and a better education.

Today, and perhaps this is the last chance in this Session or in this biennium, we will have the opportunity to support, not with our words but with our votes, a really better program for public education in Pennsylvania.

I challenge twenty-four other men on either side of the aisle, because this is not a political question, to join us in voting favorably on these amendments.

Mr. BERGER. Mr. President, I am sure that the gentleman who just spoke and the gentleman who preceded him would not have meant to imply, in any sense, that they were the only ones who were champions of education or were interested in the education of the children in Pennsylvania. Somehow or somewhere in listening to them, I seemed to gain the impression that at least they are the only noticeable champions of that particular great cause.

They stated that this certainly was a nonpolitical subject, and it should be. However, Mr. President, in my experience, I have never known of a nonpolitical legislative bill used as hard as this one and similar bills for political purposes, or one which has been whipped up by so many politicians to gain attention to their own zeal for the education of Pennsylvania children.

Mr. President, I know that it has been stated before many, many times and reiterated by the Senators who just spoke—parenthetically, I want to assure them that I know they are intensely interested in this subject just as I am and just as we all are—that the sum of \$55,000,000 would be required by the vehicle of this bill. We have had this bill analyzed also, Mr. President, and I am sure that I am telling them nothing new when I say that the cost of this bill, with the amendments which they are offering here, would not be \$55,000,000, but would be more nearly \$70,000,000. I do not believe that that is any secret and I think they are well aware of it.

However, the \$55,000,000, Mr. President, happens to be the amount of money which the Governor's Tax Committee estimated might be gained from the intangible personal property tax which was passed over to the Senate in the early part of the Session.

Mr. President, I want to say that the reference to the revenues which might be derived from that bill demonstrate a very, very shallow approach to this subject because everyone well knows—it has been stated firmly and restated again and again and again—that that bill could not and would not come out of the Senate Finance Com-

mittee and that that money was not available and would not be made available. It was well known that that particular form of tax was not going to pass, and it is well known at this time. Mr. President, in passing this bill over to us from the House, that fact was also known to them. When that bill is used as an argument in favor of the support of the amendments to this bill, it is not a good argument because the money is not available and they knew it would not be available.

There is another factor that enters into this, Mr. President. If we did report that tax bill out of committee, it has already been committed for another use because the Governor, in response to a request by the State employees for a salary increase, caused a postcard to be sent out from his office to these State employees, stating substantially as follows:

"The Governor has received your recent communication relative to salary increases for State employees. He has asked me to inform you that there are not sufficient taxes on the statute books to cover the cost of these bills. However, the House passed over to the Senate the stocks and bonds tax, which is more than sufficient to cover the proposed increases."

Mr. President, I do not quite understand how the money which would come from that tax bill, if it were reported out and passed on the floor of this Senate, could be used for salary increases for the State employees and, at the same time, be used to foot the bill for the increases to the school districts.

We propose also to offer amendments to this bill which will be somewhat realistic. When the time comes, I shall have something to say about that.

I believe they also mentioned that they would stand ready to support the tax on beer and liquor over the bar, which would produce, by estimate, about \$22,000,000. I want to say, Mr. President, that that bill, at one time, was on our Calendar and it was our information, not only from a substantial number of the Members of this Senate, that the bill would not pass, but we also received word that if it did pass the Senate, it could not possibly pass in the House of Representatives because the Democratic side of the House was opposed to that particular type of taxation.

I would stand ready now and, if necessary, would make legislative time available to bring that bill from committee and have it passed in this Senate, with the votes of the gentleman on the other side, I am sure, if it were not for the fact that it could not pass over in the House. However, if they can assure me that they can produce sufficient votes over there to pass it, I will do all in my power to get that bill out and have it passed because I think it is a good source of revenue, and one which would be applicable for the use of our school districts.

Mr. President, we realize that many of our school districts, in preparing their budgets for the current school year, estimated their revenues on something that might be obtained for them from the Legislature in this 1959 Session, and that they are presently in dire distress. I realize, also, that the bill in the form in which it appears on the Calendar would not give any immediate relief to the school districts. We do propose, in this Session, to do something which will give some measure of relief to the school districts in the current school year, but not because we are informed that if a bill containing the amount of

money of \$70,000,000 was sent over to the Governor, he could not in all conscience sign it, and I would agree wholeheartedly with him. However, Mr. President, we do believe that there will be an overrun in the sales tax, particularly from services and possibly in the corporate net income tax, which will be adequate to cover the cost of this bill which might give some relief in this current school year.

Therefore, Mr. President, we are not opposing these amendments because we are, in any sense, opposed to assisting school districts. We must oppose because we feel that it would be doing something that would not be sincere. That in passing such a bill over to the Governor, we would be giving false hope to the school districts, because we believe that the Governor was entirely correct and entirely sincere when he said that he would have to veto a bill of that size if it were put upon his desk without revenues accompanying it. At the present moment, I see no prospect of a bill coming over from the House providing revenues which we will have time to approve in this Session. I know of no bill on the House of Representatives' Calendar which will provide revenues to take care of the needs of House Bill No. 1108 in the form in which it passed the House.

Mr. WEINER. Mr. President, I believe in order that we can act on these amendments which are before us now, we should address ourselves, without getting into the heat of passion in talking about politics or other extraneous matters, to what is basically involved here.

This bill was introduced in the House.

I shall now quote from a letter, received from the Pennsylvania State Education Association, with the subheading, "Official Organ—Pennsylvania School Journal," Harrisburg, dated December 4, 1959. I shall not read the entire letter, but, in part, as follows:

"The version of the bill, H. B. 1108, as originally reported from the House . . . would have been the first step toward a solution of the financial problems which are present in practically every school district in the Commonwealth. Even the bill amended to \$55 million as it passed the House would have given temporary relief and assistance for a two-year period. The present version of H. B. 1108, Printer's Number 2067, however, does little or nothing to meet the current financial distress which prevails in school districts throughout the Commonwealth.

"Furthermore, if the present version of the bill, Printer's Number 2067, is the considered program of the Senate of Pennsylvania with reference to a solution of the problem of school needs, and is agreed to by the House, we request that a new bill be written with a new number so that it can be identified as a meager approach to the problem of school subsidies rather than as a solution to the problem which was encompassed in original H. B. 1108.

"As a matter of fact we feel that it would be an injustice to the sponsors and to the Associations that developed original H. B. 1108 to be identified with the proposed program in any way."

This letter is signed by the President of the Pennsylvania State Education Association; the President of the Chief School Administrators, Pennsylvania State Education Association; the President of the Pennsylvania State School Directors Association; and the Legislative Chairman of the Pennsylvania Congress of Parents and Teachers.

If the House would have sent this bill over to us the way it was originally written, without sending a tax measure or any money with it, I think the gentleman would be justified in standing up and saying that this is merely a political trick, merely a political way of handling a serious problem, or this is a way of showing the public that we are really for them, but then not providing the sinews or the strength to accomplish the necessary task.

Let us, however, look at the facts for just one moment. The stocks and bonds tax was sent over here which, if enacted by the thirtieth day of this month, could produce \$55,000,000. That is the estimate given by the bureau and is not my figure. If not enacted this year, it will only bring in half of that revenue, which is approximately \$27,000,000.

The House sent over to us the stocks and bonds tax measure. That came to us and has been in the Committee on Finance. We have asked that that committee be discharged from further consideration, after no action was taken. I think the bill now is pretty much dead. It will never come before the committee and it will never come before this Body. We will never have an opportunity to act in any way on it. This morning, we talked about the committee chairmen having the right of pocket veto.

What do we have here, Mr. President? We have this House Bill, which deals with the school problems, following the tax. Instead of enacting any kind of legislation which is going to provide the money to do the job which this bill requires, the bill was completely changed here in the Senate and the amount of money reduced. I think it now stands at about \$16,000,000 which, basically, is a very small sum in the over-all program which this bill wants to accomplish.

The gentlemen on the other side say they are interested in providing a tax measure and they have called upon the beer tax or whatever other tax they want. Let us look at the beer tax for a moment. One of the difficulties with it is that it is difficult to collect. You would have to have collectors go into almost every taproom or tavern in the Commonwealth and try to find out what their actual income is, how much they earn and try to estimate whether they are paying the tax or not. Maybe the cost of collecting that tax would be so great that the money actually received by the Commonwealth would be minimal.

However, Mr. President, here we are going to pass a measure which does not provide the money to do the job. They then say that we are playing politics with this bill. The question I put to the Members of this Senate is: Who is playing politics with this bill if you are merely passing a naked act over to the Governor and asking him to sign it, when the Governor has stated his position time and time again, both privately and publicly, that he would not sign any measure which would cost money, if the money was not provided in the measure or in an accompanying measure? I do not believe that we, as members of the board of directors of this Commonwealth, should tolerate the situation whereby you are asking them to create a deficit. This is a built-in deficit, if you continue to do what you are doing.

I have also heard talk from the other side that the sales tax and the hotel occupancy tax would bring in enough money. I would like to respectfully point out to you—and this is as a result of articles which appeared in

the newspapers and from other people who have taken measures by the use of the media of communications which we have, such as television, radio and newspapers—that we are collecting \$100,000,000 more than we have ever collected before. However, let us just look at the truth for a moment. The estimated return in June, of this year, was supposed to be \$5,100,000. We actually received \$5,100,000. In July, the estimate was supposed to be \$25,900,000; the actual amount received was \$25,000,000. In August, the estimated return was supposed to be \$29,300,000; we actually received \$30,100,000. In September, the estimate was supposed to be \$20,400,000; we actually received \$20,000,000. In October, the estimate was supposed to be \$27,400,000; we actually received \$25,400,000. In November, the estimate was supposed to be \$34,700,000; we actually received \$32,900,000. Therefore, Mr. President, the difference in the total estimates is \$142,800,000. The actual income is \$138,500,000. You can see that this difference may continue on. There is nobody who can tell us that we may not face, in the coming year, either a recession or a down trend in business. The steel strike is certainly not yet settled. Is there complete harmony between labor and management? We may not receive the money to do this job or any other job. Not to provide the money to do it and to have organizations, such as the P.S.E.A., which I do not think is basically a political organization or interested in politics, as such, in this matter, take the position that it takes whereby it does not want to be associated with this bill or have anything to do with it because it is being handled strictly as a political football because of the Senate version of the bill,—that is not me speaking; that is the P.S.E.A.—I think shows rather clearly what is being done here.

I would think that if these gentlemen did not want to play politics or felt that we were playing politics with the bill in the House, the Committee Chairman, who had control of this measure, should never brought it to this floor. They should have brought their own measure to the floor, one which they would have felt nonpolitical. However, that has not been done. It seems to me that to bring this measure out because it has certain good aspects to it is like being against sin. Everybody is for schoolteachers and school problems and wants to solve them. However, to be against sin, without taking any positive steps to monitor the moral climate or in any way strengthen the moral fiber of the people with whom you are dealing," I think is what you are doing here. You are saying, "I realize there is a problem. I want to solve it, but I am not going to give you the means by which to solve it." I think this is rather a sad way of handling an important problem, especially, as we said earlier today in the discussion on libraries, when we are engaged in a war of ideas, when we are trying to fight for men's minds, and when we are trying to arrive at some sort of a solution to a basic problem which exists in the struggle which goes on in this world between the ideology of a country or a foreign philosophy and the kind which we are trying to set up ourselves. If we do less for ourselves, how can we ask those people who are going to be our allies to do more?

Mr. President, I think this is a rather rash act on the part of the gentlemen on the other side of the aisle. I think it is a very unrealistic approach and I think it certainly is far, far from being a practical approach to the problem. The Governor will be in a position where he

cannot sign this measure. If the gentlemen want to go around saying that they passed a school bill, I think they will not be telling the complete story.

Mr. SEYLER. Mr. President, I want to address myself to the remarks made by the Majority Leader.

The gentleman had some fear that Senator Hays and I might be misunderstood and that some people might think that we were posing as the only people who are interested in education. This is not true, Mr. President. In my original remarks, I think I made it clear that I do not believe this is true. However, certainly, there is one way for any Member in this Senate, who chooses, to prove that this is not so and to prove that he is just as much interested. That way is to join us in voting for these amendments.

Similarly, there is some question in the Majority Leader's mind that this might be understood to be a political gesture. Mr. President, here again, it is possible for the majority of the Members in this Senate to take this out of the realm of politics by joining together and voting for this bill. Do not make this a Democratic attempt to give adequate money to schools, but let us make it the attempt of everybody. Let us all show our good will. In that way, there can be no question. If we have a unanimous or near unanimous vote on this matter, nobody in the Commonwealth is going to say that there is anything political. It would be obvious that this is something which we all, as patriots, good citizens and as Senators who have the responsibility of furnishing adequate sums for schools, join together in doing.

The Senator said that it has been obvious for a long time that the \$55,000,000 tax bill on stocks and bonds could not come out of committee. That is because a majority of the Senators say that the bill cannot come out of committee. As soon as a majority of the Senators feel that this cause, mainly of supplying funds for our school districts, is important enough, no one can say that that bill cannot come out of committee. It can come out.

Furthermore, Mr. President, this was not the only alternative we offered. We said that if that program was unacceptable, there was another program which would bring in \$55,000,000 in revenue. We offered that and we were willing to support it. The gentleman said he likes the tax on beer and liquor. He asked whether I could promise him that he would receive enough votes in the House.

Mr. President, my whole plea today is that we forget about anything which has been said, such as remarks made about not having the votes for this tax bill or that tax bill, or remarks made in the past. They were not made in relation to the matter which is before us today. Of course, I cannot give the gentleman assurance because I, unfortunately, am not in the position which the Majority Leader is in of controlling any votes beyond my own. I trust, with my conferences with Senator Hays, that he is supporting me. I do not control him, but I feel that he is in agreement with me.

I think today we should put all this in the past and forget about it. It should be over the dam. We should say that we have a new proposal which is an important proposal, and one which would supply adequate finances for public schools in Pennsylvania. I think we should say that we, the Senate, will resolve to see that need is met, and to do that we will bring out a tax program.

Mr. President, I honestly believe, as I stand here, that if we start to move on this, if we put it on the basis of the schools' needs and forget all the past, the political agreements, remarks or whatever may exist, then this matter will catch fire. I do not think there is any question about the fact that if we put it on that basis, the House of Representatives will be just as similarly moved to take similar appropriate action. After all, to do any of this, it merely takes votes. We gentlemen here today have the votes which it takes to start this movement to a successful completion.

Mr. President, the gentleman said that supposing we would pass the stocks and bonds tax, he fears that it may be used for other purposes. There is an easy remedy in our hands. It is very easily possible to take that bill, the other two bills which I discussed, or any other bill in this Senate, which we could pass, and earmark it for educational purposes. That is no argument. This Senate has the ability to decide what use shall be made of the stocks and bonds tax or any other tax or tax package which is passed.

The gentleman holds in front of us an inducement not to vote for these amendments because he said that a more realistic set of amendments is going to be offered. I, of course, do not have any idea of what these amendments will be. I will reserve judgment until I do. However, if by "realistic" he means that it provides, by any considerable degree, for less than the proposed \$55,000,000, then I tell him flatly that not on the evidence of my opinion alone, but on the evidence of every organization that I know of, which has studied this problem, this proposal will not be realistic. It will be inadequate. There are two ways of being realistic, Mr. President. One way of being realistic is to be cheap and say, "This is all that we are going to give." The other way of being realistic is to say, "What do we need?" That is real realism, if I may coin an expression. Real realism is to say, "What is the need? How much do we need?" Then should meet that need. That is being realistic. The other way is not at all realistic.

Finally, Mr. President, I trust that the Majority Leader spoke as an individual. However, I was disturbed by the fact that he constantly said, "we." I hope there is no commitment or prearrangement which will prevent any Senator on this floor from expressing today either his willingness and interest in supporting public education, or his unwillingness to do so. I hope there is no other factor operating here today. Our plea has been for the members of this Senate to place this matter a little bit out of the usual category and to vote on this matter as men, as Senators and as people who know something about the needs of the schools, as transmitted to them by their constituents and by the people in the field who know the needs. I hope that they will make this decision on the basis of their own judgment and their own good will. I also hope that no sophistries will be present and say, "Well, I would like to have voted for it, but I had an agreement and I could not do so." I think the people of this Commonwealth would protect anybody who is afraid to vote for this bill. If there is any Member of the Senate who is intimidated by some group action or some individual who has, for some reason, some sort of power over him, I would plead with him today to cast that aside and trust in the people of the Commonwealth and of his constituency, to protect him against any such intimidating influence. I hope this is not present. I hope that we will

cast our votes today as people who are interested or not interested in providing the means for a decent educational program in Pennsylvania.

Mr. LANE. Mr. President, I do not intend to take up too much time of the Senate, but I do believe there are several very important questions which have not been answered here today.

I might say, Mr. President, that in my limited experience here in the Senate, I have found that invariably on difficult questions, such as House Bill No. 1108 and its financing, we generally endeavor to sweep them under the rug until the closing days of the Session. We are now trying to close up shop for the Christmas holidays and we have very important pieces of legislation which must be resolved.

I take it, from the statement made by the Majority Leader, that since the Republicans have other amendments, the Seyler-Hays amendments will probably be defeated. Of course, these amendments were offered on the premise that there was a possibility that we could finance this legislation by the passage of the stocks and bonds tax. Of course, it was rather a foolish premise because I am one who is willing to presume that this legislation is dead and will not be released from the Finance Committee.

The other important factor which must be cleared up here today is that if Senator Berger has amendments to House Bill No. 1108, I am wondering whether he could tell the Members of the Senate how he plans to finance these amendments if there are going to be additional funds. A few Members of the Senate have stated that the Governor said that he will veto any legislation which requires funds, if the appropriation is not available. Therefore, I believe, in all fairness, that Senator Berger, the Majority Leader, should inform the Members of this Senate just how the Republican Members plan to solve this very, very important problem.

Mr. WAGNER. Mr. President, I do not rise to debate this measure. I do not desire to put myself on record as being for anything except more money when it is needed for public schools. I rather rise because a lot of people, most especially those in the gallery, have indicated that they thought the Chairman of the Senate Education Committee should say something about the matter that is currently under discussion. I would like to say, for the purposes of what I am about to state, that I am thinking out loud and, for what it is worth, those who hear it can evaluate it.

I approach this consideration, first of all, as a responsible man. As a responsible man, there are many things which bother me about our proposed procedures.

I have not even seen the amendments which we are asked to vote on if we are in favor of public school advancement. That is not because they have been denied me. I am sure that the Senators who were offering them would have permitted me to have a copy, had I asked for it. However, Mr. President, I have not had the time to ask for it in the last few days. In the last hours of the Session, I have been tied up in conference committees and have even missed the major parts of Republican Senatorial Caucuses this week.

Therefore, I came in and had thrown at me a new and simplified formula to resolve all our doubts and all our inequities. That worries me because, Mr. President and

Members of the Senate, you can say what you please about the difficulty of understanding the reimbursement formula. It has been said, and even screamed, on the floor of this Senate, since the days of Senator Holland—and he used to advocate this—that we find out how many children we have, how many dollars we can spare and divide one into the other. That would be the simplest formula, gentleman, that could be devised. Even a third grader would comprehend it, but it is not equity when you see that an equal amount goes to the rich districts as well as the poor districts. Because of that, the Legislature, many years ago, directed the Joint State Government Commission to devise a formula which would not only give money where it was most needed, but would keep it away from where it was least needed. In that way, the distribution of State funds, in the form of subsidies, would do the maximum amount of good and equally help the most favored child in Pennsylvania and the most unfortunate one, economically.

Nobody agrees more than I do that there was a great virtue in simplifying the formula. To simplify it is desirable; to simplify it and make it equitable is a very, very difficult thing, Mr. President. It is one which you do not do in a nervous moment, during the last days of a year long Legislative Session. I say that you cannot do it adequately, you cannot do it equitably, and you cannot do it understandably in our present legislative state.

Mr. President, it is all right to say that the schools want a lot more money; here is an amount and let us give it to them.

I would like to say here this evening, thinking again out loud, as a man who has tried for twenty years to be a responsible Legislator, interested in education, that I have had a part in just about every increase in subsidies to schools that the Commonwealth of Pennsylvania has provided since 1939. I want to tell you, gentlemen,—and it might be worth hearing, even though you will miss part of your supper—that it was always done with a community of understanding. When we had decided, in the days of Governor James,—if your memory can go back that far—that more money was needed than was provided in the budget, to keep the schools from being overly distressed by especially difficult circumstances in the fourth class districts in those days, we talked about it. Before we resolved it, we sent Republican Legislators to the Governor's Office and they made overtures whereby the Republicans and the Democrats in the Legislature, who are responsible for education, were summoned to the front office. We sat down and reconciled our figures to the point where Governor James said: "This is all I can do, gentleman, but I am willing to go that far."

In the days of the Martin Administration, Governor Martin had divided in his budget what he then considered an adequate amount to take care of the mandates and requirements. Some of us wanted a lot more than that. Not just Republicans, but our Democratic colleagues, too, on the respective Education Committees, went over to the Governor's Office. We had luncheon over there in that room which was established first at that time for little huddles. I believe, in two weeks, we had six luncheons and those luncheons cost Governor Martin on an average of \$1,500,000 a luncheon. This was a lot of money in those days. However, the upshot of it was that on

the last day, Governor Martin said: "There will be no more eating. You have convinced me to go eleven, twelve, fifteen or sixteen million dollars beyond what I had put in my budget. I have talked with my responsible estimators of revenue and we squeezed this thing to the last place where we can put it. We will find this in the budget, by our revenue estimates, and give it to you."

Subsequently, Mr. President, the same thing happened in the Duff Administration and in the Fine Administration. Always, where there was a substantial amount of money over and above the budgeted amount for education, it was arrived at through a community of understanding between the front office and the House and the Senate.

During the Leader Administration, that was not done, to my knowledge. There was an awful lot of financial confusion in school circles and by local makers of budgets for school boards. As I recall it, the Governor left a make-up package which had to be put in subsequent budgets, some of which I think are in our budget this year, and which embarrassed the people back home for a considerable amount of time.

Mr. President, I do not suppose anyone will object to my saying it, but I was one of those who counseled the kind of statement which was put out by Senator Berger and myself, in which we expressed our interest in doing something with House Bill 1108. We invited the Governor, as well as we could, without having engraved invitations made up, to counsel with us, to make us an offer and to indicate what he would be willing to give with the revenues which are now established. We inquired whether he would indicate that it was all right to give the amount of money that House Bill 1198 called for and find some way to provide it in the 1960 Session. You know what the answer to that has been. It has been stated by the gentlemen on the other side of the aisle this afternoon.

I have a feeling that any money that comes out of this proposal will have to come out of the budget for this biennium, with the consent of the Administration, as well as the Legislature. I have been saying, and I still think it is correct, that you are making a big play on this matter. You are talking in big millions that never were planned for. Eventually, the answer has to be for us to pass House Bill No. 1108 in some form, other than the way it came from the House. If you pass it the way the House passed it and the Governor means what he has said,—and he has restated and reiterated it—to be a man of integrity he will have to veto it. Then the schools are out of business so far as any additional money is concerned. If we pass this bill for \$10,000,000 or \$16,000,000 and the House nonconcur, we will have to get together. You cannot get together without the main man. If the Indians are going to march, the chief will have to lead the parade. Out of that can come whatever number of millions of dollars we all find it is possible to provide for the school districts.

I want to say to you gentlemen in all fairness—and surely this must come from a man who is a friend of the public schools in Pennsylvania—that the school districts are terribly pinched right now for two reasons. First of all, they are pinched—and let us be frank about it—because they did not budget adequately for this school year. They went a little light. They rather assumed that the Legislature would come along, if they put on a cam-

paign, and provide more money to help them out with this year's budget. That is an established fact. It has been admitted to by many administrators who are familiar with the procedures of the school districts in the Commonwealth this past year.

In the second place, along came the fire hazard problem. Many of the school boards were thrown for a loss because they had to go out, to their complete surprise, from the time it was initiated, and provide money to make building corrections, to eliminate defects and to eliminate invitations to fire disasters.

However, Mr. President, we are not debating that issue today. That is the reason why whatever we do here today—and I know we are going to do something, and I know something will probably come out of it before we find that the gavel falls for adjournment—should be for the present school term. I do agree, and I have counseled the wisdom of saying to any man, "How would you like to have \$100?" or \$150 a year from now?" Therefore, school directors are going to be glad. Do not let anyone tell you that school directors do not want anything if they do not receive \$60,000,000, which is probably what this bill would cost. They are going to be glad for whatever relief they get, to which they are entitled. They are going to want it now, so that it will help to balance their budget for this year.

Mr. President, we are going to be pretty much at an impasse if we finally work back to the place where we say that it has to be \$55,000,000 or \$60,000,000, and it has to be the personal property tax. The impossibility of the latter has already been established. Please do not debate with me as to the wisdom of that. Just recognize the fact that at least the Republican side of this Senate has said that everybody, on and off the record, was not in favor of an additional personal property tax.

Paul Wagner, the friend of the schools, has told his widow friends back home,—they are pretty old widows, but it is nice to have friends anyway—and his people who are on pensions and retirement funds, that he will not vote for a State personal property tax. Governor Martin almost offered his body as a sacrifice to eliminate that, on account of the aged in Pennsylvania. I said that I would not vote for that. I am in pretty good shape, Members of the Senate. When I write a check to the County Commissioners for my personal property tax, I do not suffer too badly because practically everything on which I pay it is giving me a pretty fair return. However, I know people with mortgages and I know people with personal property that is subject to this tax, who, in many instances, pay a four mill tax in the county on something which frequently yields them no interest whatever. This becomes almost a confiscatory tax. I do not think it would be wise to use a personal property tax for school purposes. I think you would embarrass Governor Lawrence terribly if you did.

Mr. people back home, who have difficulty and who almost sweat blood, figuratively speaking, to pay the four mill personal property tax, in many cases, would be asked to pay an additional six mills of tax, in a distressed labor area of Pennsylvania.

The people of Pittsburgh, one of the two districts that would receive the greatest dollar benefits from this additional legislation, would pay nothing. They would pay

nothing on their personal property tax to the Commonwealth of Pennsylvania in order to keep up their schools.

The people of Philadelphia—the people who are cheated, I was told, and who are abused and who are persecuted and who never get what they want, or rather I mean what they want, or rather I mean what they think they are entitled to—would pay two mills. Yet, in the counties that are worse off, they pay right across the board a six mill tax. Those impoverished areas and those distressed people would have to help to pay the school bill of Pittsburgh and Philadelphia. This is certainly not the kind of a procedure that leaves a very good taste.

No matter on which side of the Senate you sit, I do not quite like the idea of saying that anybody who does not go all the way with me is intimidated by somebody. When the Democratic Party need every vote, and some of ours, in order to pass the four per cent sales tax, they did not get such votes from a couple of the fellows over there. I should not stand here this evening and call them by name and say, "Who intimidated you that you did not vote for this four per cent sales tax, which was earmarked for the public schools of Pennsylvania?" I do not think we should take that position. I do not think that we have a right to assume that anybody who will not go my way, or all of the way with me, is controlled by somebody, scared by somebody or intimidated by somebody.

Mr. President, I do not like the overtones of self-righteousness all the time. When somebody who desires for some group what does not seem to be in the woods, I do not think you should say that this is a righteous cause to which everybody should bend his knee, because sometimes the cry of self-righteousness is the cry of self-interest, it is not always the answer to a reasoned and studied result.

Now, Mr. President, I say, without violating any confidences, that if the school directors or their representatives, who are waiting for their money, could have sat in our Caucus during the last couple of weeks, they would have seen and they would have heard expressions from, I would say, five out of six men who make up that Caucus, indicating that they would love nothing more than to provide fifty, sixty or seventy million dollars of additional money to the schools. Those who said it, and maybe I was one of them, always wound up with the thought that they must be responsible men, they must be responsible citizens and they must be responsible Legislators. Nothing would have been easier than to come upstairs, as the men who control the Senate of Pennsylvania, and vote, within hours, to throw that bill right in the Governor's lap.

You can make your own definition of political fakery. If the Republicans are interested in political fakery, they missed the biggest bus that has been driven past the Capitol in the past twelve months when they did not pass this the way it was brought in.

We must take a calculated risk. I have in my pocket a telegram from a number of educators in Schuylkill County, which says, in effect: "Merry Christmas, after you amend House Bill No. 1108 to give us \$70,000,000." I must take a calculated risk. If I voted for \$60,000,000 or \$70,000,000, and they got it, I am a hero; if they did not get it, I am not a responsible man, because I went along and played the game and lined up in the parade

in order to clear my record, and to put myself on record as a friend of theirs, and got them nothing. As a responsible man, I say once more—and then I will stop—that I believe there are sixteen, twenty or twenty odd millions of dollars available if we scraped the barrel. I would rather take a chance on that being brought to the maximum which can be provided by way of a Conference Committee, aided and guided by the opinions of the Governor and his Department of Revenue, than to just go blithely along doing something which I do not believe, under all the prevailing circumstances, a responsible man would do.

Mr. SEYLER. Mr. President, there is no question but that Senator Paul Wagner, with his long experience as Chairman of the Education Committee and with the undoubted sincerity he has had in that job, is perhaps the best apologist that could be chosen for the position of the Republican Caucus as it seems unfortunately to reveal itself. I regret that there is such a Caucus position, but since there is, I could not have suggested anyone who could have presented a better man than the Senator who just spoke.

The Senator, in the course of his remarks, however, made some statements which I think need comment and possible correction. In the first place, the gentleman feels that we should not pass these amendments or they should not even have been offered probably, because he says he has seen them and he does not know what they are.

Mr. President, at the beginning of my remarks, I said this restored the bill to the same form which it had when it came from the House. This bill has been in the Senate since November 11, 1959. It is hard for me to believe, Mr. President, that a gentleman who is as much interested in the cause of public education, and in the bills on education which are presented, could have failed to know what was on Senate Bill No. 1108 when it came here on November 11, which is over a month ago. For that reason, Mr. President, with all deference to the gentleman's plea, I cannot take it too seriously.

He also said, with regard to the new formula, that he is apparently not too well acquainted with that, or perhaps has not had time to think that over and see whether that could be adequate. Mr. President, the formula which is presently contained in these amendments was in the original form of House Bill No. 1108, which was introduced in the House on April 6, 1959. Again, it is hard for me to understand, with all due respect for the gentleman's sincerity, how it is possible that a figure like Senator Wagner, so much interested in the proposals which bear on education, was unable since April 6 of this year to ascertain the new type of formula which was offered.

Furthermore, Mr. President, I am sure I am not the only Senator who was the recipient of much explanation. I think it would be very unusual if Senator Wagner had not received the Report of the Committee of Fifteen, which outlined in detail the simplified formula, and which told the reasons why it had been proposed. Now if the Senator was ignorant of that report and had not had access to it, then I certainly do not want to cast any reflection upon his sincerity. However, it certainly seems to me an amazing coincidence that he did not have access to it. A copy of this proposal was received by each

Senator on this side. If the P.S.E.A. and the other interested organizations did not furnish the Senator and his colleagues with this, they were remiss and I am sorry they did not.

It is true that the present formula was drawn up by the Joint State Government Commission. However, to say that the present simplified formula was drawn up in haste, without due consideration, I cannot accept as a serious statement from the gentleman. He knows about the Committee of Fifteen. He knows the list of distinguished educators who worked on it over a long period of time. It was not whipped up in the dying moments of the Session, but it was in the possession of all of the Legislators for a long time. No Senator could responsibly say, it seems to me, with any degree of sincerity, that he was not aware of this, or that he did not have adequate time to study it, or that it was not the product of a responsible and careful study made by respected and able people.

The Senator talks of previous legislation regarding schools having been passed in what he calls a community of understanding. Mr. President, I would submit that there has been very little contribution made toward a community of understanding in this Session by the Majority Party in this Senate. You cannot possibly have a community of understanding in the face of intransigence, arrogance and a refusal to consider any possibility but the one proposed by them. How, under these circumstances, could you have a "community of understanding"?

I would suggest, Mr. President, that it perhaps is a tribute to the Minority Party, in the days cited by the gentleman in his experience in the past, when such "community of understanding" existed. It is a tribute to the Minority that they were responsible and made possible such a community of understanding. It is possible to do anything with good will, but when good will is absent, such things are not possible.

Now the gentleman says that unless such a community of understanding can exist, unless the leaders here can sit down with the leaders somewhere else and can bring something forth, we should, therefore, as Senators, be restrained from, in the waning moments of the Session, making some attempt to call to the attention of the Senate the need and to provide them with a vehicle so that they can meet this need. With this, I must respectfully differ with the gentleman.

I feel that it is too bad that Senator Hays and I had to make this proposal. I think if we had this community of understanding which might have been possible, it would have not been necessary at this point to bring forth such a proposal. However, there are people in this Commonwealth, Mr. President, who feel this strongly and sincerely. There are some of them present today, who, all during this Session, have been coming to Senators, Representatives and representatives of the executive department and have been pleading, literally pleading, to have something adequate done. To say that they shall have no opportunity to have their case presented in a manner that will give each Senator an opportunity to stand up as a man and cast his own vote, it seems to me, is a bad political philosophy to which I cannot subscribe.

I would also remind the gentlemen that in those days of the community of understanding to which he looks

back with such a nostalgic glow, those days were the days when the mandates were made, Mr. President, which have pushed through this section of the law. It is the mandates made in those lovely days of gentlemen's agreements and communities of understanding, and sitting down to luncheons, that the mandates were made which school districts now have to meet. This is the reason that is causing them to come in now and say in desperation, "Will you please provide for us adequately"?

I know of no overtures, Mr. President, which have been made by responsible leaders to try to get this matter resolved in a community of understanding manner. I know of no overtures which have tried to bring together the people who are interested in public education to try to work out an understanding. If such overtures exist, the gentleman has the advantage of me. He knows of them; I do not.

The gentleman seems to feel that the way to finance public education is what I would call the dribble method. Yes, you should have \$100,000,000, but let us make it \$50,000,000, because \$100,000,000 is too big to seriously consider. I cannot subscribe to this philosophy, because it causes a situation in which you have a constant pressure on school districts. You have a constantly increasing problem. I think if the problem is there and if we accept the word of responsible people in the field who have studied this matter at length, it is there. Then I think we should meet the problem, and not say, "No, we will use the dribble technique. You can have a little bit, not enough to satisfy the need, but a little bit on account; little bit to ease your pain."

In spite of the gentleman's statement, Mr. President, it is not true that the Governor has said he will veto this bill. The Governor has said that he will veto this bill or any other bill which calls for an appropriation and for which no revenue is provided. The whole point of the plea that Senator Hays and I have been making today, Mr. President, is to say: Let us be responsible. Let us not vote for this bill. Let us be honest. Do not vote for this bill. I ask you specifically, do not vote for this bill if you are not willing to vote for some means of financing it. We do not want those kind of votes. We do not want that kind of a proposal.

The means to finance this bill are present in the Senate. I have offered two alternative proposals. I do not say that anyone should agree that this one is right or that one is right. However, I do say this. I do say that we are faced here with a problem which perhaps transcends the usual considerations in thinking about how I will be personally affected by a tax program, or how my friends will be personally affected by a tax program. I think we need, perhaps, to transcend that point of view in view of the importance of the financial problem that faces the school districts.

The Senator very logically and correctly, I believe, cited what he thought were too important reasons why the school districts are in the situation they are in. He said that one of the reasons was that the school districts did not provide enough money by local taxation because they were in expectation of receiving aid from the State. Mr. President, this is true. This is true in York County just as it is true, I am sure, in the Senator's county. However, Mr. President, these districts are in difficult straits.

They have constantly, over the years, continued to increase millage to the point that some of them are no longer able to go much further with this process. We should not castigate them for looking to the State in circumstances like that. After all, Mr. President, it is the State, the government of the Commonwealth, which is responsible for the operation of the public school system. Where shall these districts look if not to the Commonwealth, when the means of giving that adequate educational program are falling down? When they need help, this is obviously where they will look, and where they should expect to find understanding of their problem, because it is we who have mandated the program they are offering.

The other matter cited by the gentleman was, of course, the provisions made necessary by the inspections after the Chicago fire. I do not think the gentleman said, and I am sure he did not mean to imply, that the school districts were responsible for setting the Chicago fire. I am positive he did not mean that. However, he certainly cannot place the blame on the school districts or on the Commonwealth for wanting to take every precaution to see to it that the children, while in school, are in schools which are safe, schools to which parents can send their children in confidence and schools that are not in danger of repeating that great Chicago conflagration which set this movement afoot.

He said if we cut down the amount to \$15,000,000 or some unspecified sum provided by the amendments, which he implied are to be offered, the school districts would not refuse it. They would be glad for what they can get, he said. I think it is true that the school districts will not refuse what the State offers. However, the statement that they will be glad for what they can get represents an educational philosophy on the part of State Government which I, personally, cannot accept, and I think which should not be accepted by people who are interested in the provision of good education for the children of this Commonwealth.

He had some remarks to make upon my previous remarks about intimidation. I did not say anyone was intimidated. I said if anyone were, I believe the sentiment of the people, the constituents, in this matter would protect them. He said that if anyone on this side of the aisle voted against the four per cent sales tax, this was a sign he was intimidated.

Mr. President, he did not mention any names, and I am grateful to him. I know he wished to avoid pointing the finger of scorn. However, I could not help reflect that possibly he was referring to me since I was one Member of the Democratic Caucus who voted against the four per cent sales tax. By whom I was supposed to have been intimidated, I do not know. I obviously voted against my Party Caucus, so that intimidation did not come from there. It did not come from the Republican Chairman of York County, who wrote a letter to try to persuade me to vote for the four per cent sales tax. I do not know from whom the intimidation is supposed to have come. As a matter of fact, I would offer to the gentleman that I would have thought that a person who under those circumstances would have voted against the tax would have been offering evidence, perhaps, that he was not intimidated. If the gentleman's meaning escaped

me, and if he can point out who was allegedly intimidating me, I would be glad to know it.

Finally, the gentleman closed, Mr. President, with what seemed to me a kind of a dissertation on party strategy. He called this a calculated risk on the part of the Republican Party, and I think that is a fair description. I think either alternative, if they are going to act as a party block, as a caucus action, as a party policy,—in other words as part of a political strategy—if that is the way they are going to vote on this bill, it is a calculated risk. I honestly believe, Mr. President, that the people of the Commonwealth, the school directors, the educators and the parents of the Commonwealth, are interested in this bill. I do not think they are much interested in sophistry, in ways of talking away why you vote against a provision which you believe is necessary and that could be provided through some reasons of politeness in government, such as the community of understanding procedure, or the gentlemen's agreement type of thing. I do not think the people of the Commonwealth are going to understand that. I honestly do not. If that is the risk that constitutes party strategy, then it is a bad risk. I think the people of the Commonwealth realize the need. I think they are pretty clear on that. I believe they realize that we have the means to provide it, and I think they are looking for each Senator to vote and register his conviction as to what he wants to do to meet the needs.

I think, as party strategy, the best thing you can do is do the thing which your individual promptings would tell you to do. I think the best kind of political strategy is to cast aside all of the Caucuses and all of the conferences and so on, on a matter like this, and vote on it because of what you believe about the desirability of a good educational system, the welfare of the children of the Commonwealth and the needs of the Country and of the State for a good educational system and an educated citizenry.

I believe if we vote today on that kind of a conviction, the people of this Commonwealth will back those people who vote that way. I think they will be satisfied with them as good public servants, and I do not think anyone will need to fear repercussions from individuals who might be dissatisfied because they have a different philosophy.

It was in that sense, Mr. President, that I said if there was any person who has any kind of hesitation, they should cast it aside and vote today as individuals. My plea is: Let us not have politics as usual. This is a matter touching the welfare of the Commonwealth. Let us cast aside politics as usual. Let us vote on it today as individuals, according to our conscience.

Mr. McGINNIS. Mr. President, I am going to vote for these amendments, and I am going to do it reluctantly, because I am not too sure how much money can be squeezed out of the taxpayers of Pennsylvania. There may be a limit to squeezing taxes out of our people.

I have always had great admiration for Senator Hays and Senator Seyler on education. I have voted in favor of every bill which has come up here for education. However, one thing I do not hear Senator Seyler or Senator Hays say much about is taxes—taxes. Where is this money going to come from? It does not spring up over-

night. There are a lot of taxpayers of this State who are in trouble now. They have trouble paying their taxes. I am just a little bit—over half—convinced that we could squeeze some more out of them. Therefore, I am going to vote for these amendments.

Mr. PECHAN. Mr. President, we have been on this subject a little too long. I want to say that Senator Wagner did a masterful job in telling his colleagues in the Senate of his stand, my stand and the stand of most of the people on this side of the aisle. I think anything that I would say would be repetitious, and certainly would not be as well said as the speech by the distinguished Senator from Schuylkill. I think that was the finest speech he has made on this floor.

I just want to clear up a couple of matters about taxation. I introduced a bill sometime ago to collect the tax on beer and liquor across the bar, just as the tax committee had recommended to Governor Lawrence. When I introduced that measure, I believe Senator Lane told me privately and on the floor that if I were going to run for office, the bill was political suicide. Well, let it be political suicide. Al Pechan will take care of himself. I went over on that side of the aisle and asked how many votes there were in favor of the beer and whiskey tax for school purposes. For a while I had three, then I had two, then I had one, and then I had none. I cannot understand how, today, the distinguished gentleman from York can say that he is ready to vote for the beer and whisky tax, when sometime ago he told me that he could not do it. He wanted to, and then for some reason or other, he said, "Al, I just cannot do it."

This is a good time to bring it up when they say, "let us not play politics." This is a good time to bring it up. It is a Senate Bill. There are not enough legislative days to pass it here and over in the House. However, I will say to the gentleman, you get me some votes over there and I will get that bill out of committee and we will have enough to pass it.

One more thing. Fifty-five, sixty-five or seventy millions of dollars would be needed for House Bill No. 1108, which was introduced in the House. This amount was never in the Governor's budget. Not one red penny extra, over and above the mandates we had was included in the budget.

Incidentally, ten years ago when I came to this Senate, the State's share for education—I voted for it because I believe in good education—I believe was something like \$249,000,000 or \$279,000,000. Today it is almost \$900,000,000. Gentlemen, Senator McGinnis brought out something. If you project what we have done, what we have mandated for education alone, to 1969—ten years from now—your education bill on the State level is going to be \$2,600,000,000. Just think of it; two billion six, just for education alone.

One of the reasons your Tax Equalization Board members failed to get confirmed over on this side of the aisle was because we were convinced—at least I was convinced—that you were playing politics with the school children and with the schools. We, on this side, felt it was politics when the Tax Equalization Board stated that sixty-two of the counties were going to receive a cut in their subsidy. If the Republican Members had not frozen those subsidies, some 2,000 school districts would have lost over \$12,000,000 in subsidies.

I understand, as Senator Wagner very ably pointed out, under your amendments, the bill is going to be restored to the form in which it came over from the House and the school districts would get nothing until 1960-1961. I think that you are going to be presented with amendments today—I do not think, but I know—which are going to give the school districts an additional \$16,000,000 now. Right now they can have it to help pay their bills.

What has caused this loss or what has caused the distress in many of these school districts? We, in the Legislature, on both sides of the aisle, have passed legislation which was approved by the Pennsylvania School Directors Association and the Pennsylvania State Education Association. As we raised the minimum and gave the eight, ten and twelve increments, for our minimum and maximum salaries, we found many school districts were caught with teachers who were leaving the system because a young boy or girl who graduated from college in one year would get \$3,200. The next year the minimum subsidy went to \$3,400 and then it went to \$3,600. If he stayed in the school district for two years, he found that he was only getting \$3,600, the same as the young boy who was graduating from school. Therefore, the school directors, in order to keep these teachers, had to give \$400 to \$600 over the mandated salaries.

I can remember in my own school district when we lost one or two school teachers who took jobs somewhere else. They used to remain with the school district because they wanted to be close to home, but today they go shopping around. Today we have twenty and twenty-five teachers who are looking for better jobs because they can get more money. Unless we put a stop to that and stop spending in that manner, we are never going to be caught up. I do not say that that teacher is not entitled to \$400 more because he has two years of experience behind him. However, it is not the Legislature's fault that many of the school districts are in bad shape.

In my school district in Ford City, we do not want anything. Our millage is the same for next year. We are giving the mandated salaries and we have a very fine school system. We have not only done that, but we have taken in three other poorer school districts and shared our prosperity with them.

I do not want to take any more time here. I just wanted to say that, to me, if at any time there was politics played with education, it is trying to be played here today. I certainly would be the biggest faker in the world to vote for a \$56,000,000 subsidy bill when I know Davey Lawrence has said repeatedly that he will not sign it unless he has the revenue measure to go with it. He has been told time and time again that he will not get a personal property tax.

I could not go back to Armstrong and Butler Counties and ask those people to pay six mills on a personal property tax when the people of Pittsburgh pay nothing and the people of Philadelphia pay two mills. The greatest amount of the money you are proposing in those amendments will go to Pittsburgh and Philadelphia. I am not against Pittsburgh and Philadelphia, but I have to live with my people. If we in Armstrong or in Butler would say that we are going to use this ten mills for other purposes, just as you have done in Philadelphia and

Pittsburgh, it would not be fair. Let us make it six mills for everyone, and then perhaps the bill will be a better bill.

Mr. WEINER. Mr. President and Members of the Senate, I believe the gentleman omitted one small piece of information which I think is available to him. I think he is aware of it, but it may have just slipped his mind. This is based on the fact that there are twenty-eight votes on the other side of the aisle, and any time that the gentleman wanted to pass a beer tax, a whisky tax or any other kind of a tax measure, he could have done so without any difficulty at all. This would have been in juxtaposition to the tax that had been sent over here by the House. Somewhere or other, between those two taxes, there may have been some means of working out our problem here.

I do not think the gentleman had to come to us and ask us—that is not his usual procedure—whether we had any votes for this measure, that measure or any other measure in which he was sincerely interested. Whether we are for it or against it, if this is what you wanted sincerely to do, and cared very little about whether we were in favor of it or against it and really wanted to aid the schools and use this vehicle to do so,—I do not know whether it is either the best or the worst vehicle to use—the gentlemen could have very easily done so without any difficulty at all, and whether we had one vote, two votes or no votes, it would have been a simple process. If he wanted to earmark this money for this particular type of activity, all he would have had to do was provide for this in the bill and delineate it for that purpose. He could have provided that the money go to the Department of Public Instruction or anywhere else he felt it should have gone for this purpose. Not having done that, I do not think that you can say, Senator, very easily, that because we did not provide any of the votes for this measure, it was, therefore, unable to be enacted into law. If the Senate had done so and sent it over to the House, the burden would have been upon them either to act or not to act on this measure.

I think, Senator, also to say that the people of Pittsburgh would pay nothing under the millage and Philadelphia would only pay two mills is not giving a clear picture. The people in Philadelphia and Pittsburgh are already paying a personal property tax. They have already taken care of this problem. You would not want the burden upon them to be any heavier than it already is, when the rest of the State is carrying less of a burden.

The fact is that we do not get our fair share, our proportionate share, and Allegheny County does not get its fair or proportionate share. That has been the cry we have made all along. I think Senator Wagner was right. He thought it was a slip of the tongue. However, I do not think it is. The people in Philadelphia do not get what they want. He tried to correct this by stating that they do not get what they feel that they want. I do not think that is the case at all. I think they want what is fair, what is proportionately due them on the proportionate basis of what they pay into the fund. I do not think that is asking too much or being unreasonable.

I think that you must also agree that most of the rest of the State, if they did not receive money from Philadelphia or Pittsburgh, would not be able to get along very

well. They would have to look to us and lean pretty heavily upon us. I have said before of Philadelphia, and I am sure the same is true of Allegheny County, that if you left us alone to collect our own taxes and take care of our own problems, we could do so and would not come near you at all. However, the reason for this formula—this mumbo jumbo which makes up the formula, which no one seems to understand or can explain very coherently—is for the very purpose of taking care of these small areas which cannot, apparently, take care of themselves.

If there is sincerity on your part, tell me where this money will come from. Where is the \$16,000,000 which you are providing in the bill going to come from? Where are we going to collect this? How is this going to be put into a bill? The Governor has stated emphatically that he will not sign this measure unless the revenue to support it is part of it. You are definitely not sending the revenue with it. If you will tell us, we will be very happy to hear from you. Where are we going to receive the money to do this job? Until you can answer that question positively, I think you cannot sincerely mean what you are saying in this bill or carry out the purport of it.

Mr. MULLIN. Mr. President, I did not realize how many stock and bond holders there were in such counties as Armstrong and Schuylkill. If those gentlemen go back to their constituents, they will immediately be in trouble.

In Philadelphia, we have had an eight mill stock and bond tax for a generation, and it did not seem to make much difference. The people pay it without protest. On the other hand, it seems everyone outside of Pittsburgh and Philadelphia must hold stocks and bonds.

The real estate owners are suffering from taxation everywhere. Yet, the indications are that they would prefer that the real estate owners should pay more taxes than they are paying.

I think, also, that the opposition here does not realize that the population of this State and Nation are growing. Sure, the cost of education is greater because the people are being given more education now than they have ever been, and the demand is even greater in this modern world. A great opportunity is being missed. This small millage on stocks and bonds will bring in \$55,000,000. Fifty-five million dollars would meet the cost of House Bill No. 1108. I think that we should be willing to bear this tax, meet this obligation and this demand which is being made upon us as representatives of the people of Pennsylvania.

Mr. ELLIOTT. Mr. President, I am not going to enter this debate or discuss really this issue.

I want to make remarks which might be construed as personal. If they are, I would expect and hope that the Chair would rule me out of order.

Of all of the remarks I have heard on this issue, I think the one that I resent the most deeply and which distresses me very deeply is the label attached to the Chairman of the Senate Education Committee; that he is the apologist for the Republican Party. He is a man who has given twenty years, at least, of his life to public service, and has devoted most of those twenty years of life in public service to the cause of public education. The very subsidy formula which we are discussing and some of the other problems inherent in the bill which we

were discussing have come about because this man through his devotion has helped, with the work and co-operation, of course, of other people, create the fine educational system which we have in this Commonwealth.

The Senator who made that remark, in a previous statement, which, of course, he will deny, set himself up as sole judge and jury of those who vote against his prized amendments; amendments which are wholly without financial undergirding. He said that every school director, every parent, every teacher, every school child and the public of the Commonwealth of Pennsylvania would know that a "no" vote would mean that these people were not interested in and were unconcerned about education, and some other things, too.

I want the people of Pennsylvania, the people especially in education, to know that I am going to vote on the side of the principles and philosophies expressed by Senator Wagner; the principles and philosophies with which I am proud to associate myself, and which have espoused moral as well as fiscal integrity and solvency. For that reason, I am voting against these amendments.

Mr. SEYLER. Mr. President, I was unaware that the word "apologist" carried any invidious connotations. An apologist, as I understand it, is a person who presents the case of a group. The latter part of Senator Elliott's remarks seemed to me to indicate that that is just what Senator Wagner was doing. An apologist, to my mind, is in no way an occupation or a position which is demeaning or belittling. If it had been, I would certainly have not used the term to refer to Senator Wagner. What I intended to infer was that if I were choosing someone to present the case of the Republican Caucus,—and I regret that it did not seem to be that such a position was developing or that they had a case—there is no one I could have chosen who could have done it better than Senator Wagner.

If Senator Elliott can find me any source in literature, in a standard dictionary or in anything which places any construction upon the word "apologist" other than what I have indicated that I meant, I would be very happy to withdraw the term and make an apology to Senator Wagner, whom I respect very highly. I think Senator Wagner knows that I respect him very highly.

With regard to the rest of the remarks of the gentleman, it is an indication to me that what I have said about forgetting the sham battles, the vacant gestures, the empty words and being recorded as individuals and standing on our own feet on this important question, has struck home. I am sorry that the gentleman has the reaction which he has. He can disagree with me in this belief and I will defend his right to disagree with me. However, I certainly did mean to infer that I believe each citizen of the Commonwealth is interested in the vote on these amendments, which would provide money for the Commonwealth to conduct its schools in an appropriate manner, and he is not interested in any excuses, alibis or anything of that sort. To that extent, I must confess, Senator Elliott did understand me correctly.

Mr. LANE. Mr. President, I might say to Senator Seyler that I am going to support his amendments. However, it sort of startled me a little bit when I heard that remark. I would define an "apologist" as someone who

expresses himself with words in which he does not believe.

Mr. President and Members of the Senate, I have worked with Senator Wagner since 1942. I have not always agreed with him, but I do say that, in my opinion, Paul Wagner is an outstanding educator and one of the ablest men in this Senate. I do not think that Senator Wagner would rise on this floor and say anything he did not believe for either the Republican or the Democratic Party. Therefore, I do not believe that Senator Seyler really meant what he said when he used the term "apologist." I am quite sure that the gentleman did not mean it in a vicious form, because he is too much of a gentleman. However, in my opinion, I must say that Senator Paul Wagner is a very honorable man.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. SEYLER and Mr. HAYS, and were as follows, viz:

YEAS—10

Hays,
Lane,
Mahady,

McGinnis,
Miller,
Mullin,

Ruth,
Seyler,

Weiner,
Whalley,

NAYS—20

Berger,
Chapman,
Confair,
Ehrgood,
Elliott,

Flack,
Fleming,
Harney,
Keller,
Kromer,

Madigan,
Mallery,
Pechan,
Propert,
Scott,

Shafer,
Stevenson,
Van Sant,
Wade,
Wagner,

So the question was determined in the negative, and the amendments were defeated.

Mr. HAYS. Mr. President, Senator Seyler and I reluctantly accept the vote on the previous amendments.

I am about to present, Mr. President, on behalf of Senator Seyler and myself, other amendments to House Bill No. 1108. At the proper time, I would like to be recognized to make a very brief statement concerning them.

Messrs. HAYS and SEYLER offered the following amendments:

Amend Sec. 4 (Sec. 2501), page 7, line 14, by striking out the bracket after "Assembly."

Amend Sec. 4 (Sec. 2501), page 7, line 14, by striking out "for the school year 1958-1959."

Amend Sec. 4 (Sec. 2501), page 7, line 15, by inserting a bracket after "\$5800."

Amend Sec. 4 (Sec. 2501), page 7, lines 17, by striking out "1959-1960" and inserting: "1958-1959."

Amend Sec. 4 (Sec. 2501), page 10, line 1, by striking out the bracket after "Assembly."

Amend Sec. 4 (Sec. 2501), page 10, line 1, by striking out "1958-1959."

Amend Sec. 4 (Sec. 2501), page 10, line 6, by inserting a bracket after "\$5800."

Amend Sec. 4 (Sec. 2501), page 10, line 7, by striking out "1959-1960" and inserting: "1958-1959."

Amend Sec. 6 (Sec. 2502), page 27, line 4, by striking out "for the school year 1958-1959."

Amend Sec. 6 (Sec. 2502), page 27, line 4, by inserting a bracket before "five."

Amend Sec. 6 (Sec. 2502), page 27, line 5, by striking out the bracket before "For."

Amend Sec. 6 (Sec. 2502), page 28, line 13, by striking out "or."

Amend Sec. 6 (Sec. 2502), page 28, line 14, by striking out "1959-1960" and inserting: "1958-1959."

On the question,

Will the Senate agree to the amendments?

Mr. HAYS. Mr. President and Members of the Senate, Senator Seyler and I, and perhaps some others, in the spirit of a medieval warrior who was wounded, I will say, "I will lie me down and bleed awhile, and then I will rise and fight again."

These amendments are amendments which some Members of the Majority Party, we were pleased to hear, perhaps will find acceptable. These amendments do not change the amount of money involved in this bill. The amount of money remains the same. However, because of the budget situation in many of the 2,400 school districts of the Commonwealth, this would move up the payment, under this bill as it was reported from the proper Senate committee, from next year to the current year. If this bill, in this form, of course, will mean additional taxes—I know I speak for myself and I think I speak for Senator Seyler—we will be willing to vote for the additional tax necessary to finance this. However, I believe it calls for the same amount of money as when it was reported from the Senate Committee. It simply moves up the payments to the school districts, one year.

We invite your serious consideration and your vote on these amendments.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Centre, Senator Hays.

The PRESIDENT. Will the gentleman from Centre, Mr. Hays, permit himself to be interrogated?

Mr. HAYS. I will, Mr. President.

Mr. BERGER. Senator Hays, these amendments which you have just offered and explained will do only what you have said; that is, instead of making it for the 1960-1961 school year, you will move the payment of the amount contemplated in the present Printer's No. 2072 into the school year of 1959-1960. Is that correct?

Mr. HAYS. Senator Berger, in reply, that is the instruction which I gave to the Legislative Reference Bureau and my examination of the amendments leads me to believe this to be true.

Mr. BERGER. Mr. President, by a very odd coincidence and without any implication of any political inference whatsoever that might be drawn from this, it happens that I have the same set of amendments which Senator Hays has. In order to expedite our deliberations and to demonstrate that we, on this side, are certainly not interested in any political aspect of this, I will be very glad to accept these amendments and urge my colleagues to vote for them.

Mr. HAYS. Mr. President, I want to thank the gentleman for his spirit of Christmas.

Mr. BERGER. Mr. President, may we interrupt just a moment before proceeding with the roll call?

Senator Hays, do you happen to have a set of corrective amendments, too?

Mr. HAYS. No, sir, I do not.

Mr. BERGER. Mr. President, I believe it would be well to offer the set of amendments which I have here also. They are amendments prepared only to make necessary corrections in the present Printer's No. 2072, and

they do not alter the framework of the bill in any manner.

Could we be at ease a moment, Mr. President?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. BERGER. Mr. President, I am now informed by the gentlemen that their amendments change the formula from the present law and retain the formula which was contained in House Bill No. 1108, in its prior printer's number, as it came from the House.

Therefore, Mr. President, they would not key in with my amendments. Consequently, I request my colleagues to vote against the amendments offered by Senator Hays.

I shall hold my amendments until a vote has been taken on Senator Hays' amendments.

Mr. HAYS. Mr. President, as I understand the amendments, in both cases, the payment of presumably \$14,000,000 to \$16,000,000 would be moved up a year. In the case of our amendments, we would preserve the same formula as contained in the bill which came over from the House, which had a single standard reimbursement fraction. If these amendments are voted down,—I am sure that I am not revealing any confidence, but Senator Berger tells us that his amendments will, of course, move up the \$14,000,000 to \$16,000,000 also—the bill will carry three reimbursement fractions; namely, a basic account standard reimbursement fraction, a subsidiary account reimbursement fraction and a capital account reimbursement fraction. As we vote on this matter, I think we should keep that in mind.

Mr. SEYLER. Mr. President, I would urge again that the Members consider the benefit of providing a more simplified approach to reimbursement, one which we believe—and it is not only our opinion, but it also is the opinion of the Committee of Fifteen, which I cited earlier—would be a formula which would make it possible for the man on the street, if he took a little trouble to inform himself, and certainly the rest of us who work with these figures, as Legislators, as school directors and so forth, not to have to be an accountant or a statistician to follow the various proposed changes in reimbursement.

This was brought home to me when I was a member of Senator Wade's Committee, and we heard testimony. I think the gentlemen of the press who attended those hearings will agree with me that it became fantastically difficult to follow the various proposed changes because of the complexity. Our proposed formulas lose nothing of the equalization effect which is in the present law. They lose nothing in the way in which we distribute the money. However, they reduce it to a more simple and less complicated way of computing it.

Mr. President, therefore, the only difference between our amendments and the amendments which, as I understand it, will subsequently follow is this question of the simplified formula. I would urge that the Members give consideration to the value of having such a simplification.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. HAYS and Mr. SEYLER, and were as follows, viz:

YEAS—10

Hays,
Lane,
Mahady,

McGinnis,
Miller,
Mullin,

Ruth,
Seyler,

Weiner,
Whalley,

NAYS—20

Berger,
Chapman,
Confair,
Ehrgood,
Elliott,

Flack,
Fleming,
Harney,
Keller,
Kromer,

Madigan,
Mallery,
Pechan,
Propert,
Scott,

Shafer,
Stevenson,
Van Sant,
Wade,
Wagner,

So the question was determined in the negative, and the amendments were defeated.

Mr. BERGER. Mr. President, I desire to offer the following amendments to House Bill No. 1108.

The amendments were read by the Clerk as follows:

Amend Section 4 (Sec. 2501), page 7, lines 14 and 15, by inserting a bracket before "five" on line 14 and after "\$5800" on line 15, and inserting: "six thousand two hundred dollars (\$6200)."

Amend Section 4 (Sec. 2501), page 7, lines 17 and 18, by striking out "six thousand two hundred dollars (\$6200)" and inserting: "five thousand eight hundred dollars (\$5800)."

Amend Section 4 (Sec. 2501), page 10, line 2, by inserting a bracket before "five" and after "\$5800" and inserting: "six thousand two hundred dollars (\$6200)."

Amend Section 4 (Sec. 2501), page 10, line 4, by inserting a bracket before and after "Three-eighths" and inserting: "three-fourths."

Amend Section 4 (Sec. 2501), page 10, line 5, by inserting a bracket before and after "(.004 3/8)" and inserting: "(.004 3/4)."

Amend Section 4 (Section 2501), page 10, lines 5 and 6 by inserting a bracket before "five" on line 5 and after "\$5800" on line 6 and inserting: "six thousand two hundred dollars (\$6200)."

Amend Section 4 (Sec. 2501), page 10, lines 8 and 9, by striking out "six thousand two hundred dollars" on line 8 and "\$6200" on line 9 and inserting: "five thousand eight hundred dollars (\$5800)."

Amend Section 4 (Sec. 2501), page 10, line 11, by striking out "three-fourths" and inserting: "three-eighths."

Amend Section 4 (Sec. 2501), page 10, line 12, by striking out "(.004 3/4)" and inserting "(.004 3/8)."

Amend Section 4 (Sec. 2501), page 10, line 13, by striking out "six thousand two hundred dollars (\$6200)" and inserting: "five thousand eight hundred dollars (\$5800)."

Amend Section 6 (Sec. 2502), page 27, lines 4 and 5, by inserting a bracket before "five" on line 4 and after "\$5800" on line 5 and inserting: "six thousand two hundred dollars (\$6200)."

Amend Section 6 (Sec. 2502), page 28, line 15, by striking out "six thousand two hundred dollars (\$6200)" and inserting: "five thousand eight hundred dollars (\$5800)."

On the question,

Will the Senate agree to the amendments.

Mr. BERGER. Mr. President, the amendments that I have just offered differ from those which were offered by Senator Hays in that they retain the present formula and do not put in a new formula. That is the only change. They result in the payment of the amount called for in the present printer's number of this bill during the current school year of 1959-1960.

Mr. President, it was thought, after discussions with many people who are interested in this subject, that this form of amendment might be considered and the present

formula retained, with the thought that during the ensuing Session, study might be given to producing a simplified formula. In so doing, I am in complete agreement with the gentleman that a simplified formula, if possible, should be produced, but, at the present time, we should retain, in all respects, the present law, with the exception of placing this payment upon the increased equalization level into the present school year.

For that reason, Mr. President, the amendments are offered in this form.

Mr. HAYS. Mr. President, my colleague, Senator Berger, just proved that the Christmas spirit does exist. Therefore, I intend to vote for these amendments. However, in so doing, I want it clearly understood that, in my opinion, a study has been made, the formula is here and we should have approved the other amendments.

The second thing I want to say is that I hope that all of us who vote for these amendments are also willing to vote for an adequate tax program to support this appropriation. I will vote for such a program.

Mr. LANE. Mr. President, before we have the calling of the roll, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, what is this legislation going to cost in the way of subsidies? What is going to be the total amount?

Mr. BERGER. Mr. President, I believe that the amendments I have offered will cost less than \$16,000,000. It will cost somewhat slightly less. I use the word "slightly" advisedly. I do not know, but I do not believe they will cost as much as \$16,000,000, due to the fact that it is payable in the current school year, rather than in the succeeding school year when there probably will be more units to be reimbursed.

Mr. LANE. Senator Berger, are you in a position to say that the \$16,000,000 is currently available to finance this bill?

Mr. BERGER. Mr. President, I am confident that the \$16,000,000 will be available under the present revenue structure which we have provided in this biennium. However, I want to say that we will be in Session and will have experience with the receipts from the various revenue measures, including the four per cent sales tax. Especially, we will have more experience with the receipts from the tax on services provision of that sales tax which I think have been considerably underestimated. I will continue to think so until it has been proven different. However, should that not transpire, we will be in Session in the year in which we are to make appropriations and to develop revenue measures, only. Should what I am saying prove incorrect, we will have ample opportunity, at that time, to make an appropriation to this and possibly in anticipation of something which might be developed for the further relief of the school districts.

Mr. LANE. I want to thank the gentleman, Mr. President.

Mr. President, the Majority Leader is the responsible official on the Republican side. In making that statement, he is anticipating these revenues. However, I do not believe that he has any definite authentic information from the Secretary of Revenue in this particular respect.

Mr. President, I am going to vote for the amendments and I shall vote for the bill. However, I believe it will place the Governor in a rather peculiar position. When this bill goes over to the Governor's Office, it will be some time before the end of the year. We are not coming back into Session until January and, therefore, the Governor then will have to make up his mind as to whether or not the gentleman's figures on anticipated revenues are correct or incorrect. He, of course, must then determine from the Secretary of Revenue as to whether or not adequate funds are available.

I just want that in the record because I believe we are going to be confronted with a major problem when the Governor has the bill before him.

Mr. WEINER. Mr. President, I just want to close the record by stating that I believe I read to the Senate earlier the estimated and the actual receipts. I believe the actual money received was \$4,300,000 under the estimated amount. I believe we are running about three per cent behind.

I also would like to point out to the gentleman that we began this biennium with a \$177,000,000 deficit. I think most of us have found that the estimated income never quite seems to reach what we actually receive. This is not because of the fact that the officials or the people in charge, regardless of whether they be Republicans or Democrats, are in error. It is based on the fact that nobody can anticipate or see into the future, or be clairvoyant in so far as the economic and social conditions are concerned in the coming year or two years. That causes wide disparity between what we hope to receive and what we actually receive. I think that is true throughout life. What we always hope to get, always falls far short of what we actually get. I think this may be true in this case. I think to tie a program down to what we hope to get is a rather bad method of financing it.

Mr. BERGER. Mr. President, in part, I can agree with the gentleman. I hope that some time in my lifetime, we will be able to come out even. I would certainly like to see that occur some time. It has been very, very seldom that we have an overrun. I hope there will be an overrun in this instance, and I am rather confident that such will be the case. I think that the statements of responsible people indicate that the receipts from the tax on services provision, and the general collection of the sales tax, will be considerably more than those reflected in the figures used by the Senator. His figures did not have in them the full impact of the four per cent tax on services. They will be known when we come back into Session.

For that reason, Mr. President, I feel in no way at all reluctant to vote for these amendments. As I said, we will have the experience then and we will know whether or not we must meet any additional revenues.

Mr. LANE. Mr. President, being just slightly political, I am glad to hear Senator Berger say that, in his opinion, the collections are running ahead of the anticipated revenues. This indicates to me that he must feel that the Secretary of Revenue and his subordinates are doing a pretty decent job.

And the question recurring,

Will the Senate agree to the amendments?

The roll was called and was as follows:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Welner,
Whalley,
Wolfe,

NAYS—0

So the question was determined in the affirmative, and the amendments were adopted.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

REPORTS OF COMMITTEES OF CONFERENCE

Mr. WAGNER submitted the Reports of Committees of Conference on **HB 2170** and **2150**, which were laid over for printing under the rules.

He also submitted the Report of Committee of Conference on **SB 785**, which was placed on the Calendar.

Mr. WADE submitted the Report of Committee of Conference on **HB 1675**, which was laid over for printing under the rules.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE CONCURRENT RESOLUTIONS

The Secretary to the Governor being introduced, presented communication in writing from his Excellency, the Governor, advising that Senate Concurrent Resolution, recalling from the Governor **SB 1250**, had been approved and signed by the Governor, which communication and bill were laid on the table.

SB 1250, RECALLED FROM THE GOVERNOR,
TAKEN FROM THE TABLE

Without objection, Mr. RUTH called from the table **SB 1250**, which was recalled from the Governor for the purpose of further consideration.

RECONSIDERATION OF SB 1250, RECALLED FROM
THE GOVERNOR

Mr. RUTH. Mr. President, I move that the Senate do now reconsider the vote by which **SB 1250**, recalled from the Governor, passed finally on December 8, 1959.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. RUTH. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?
Mr. RUTH. Mr. President, I voted for the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. RUTH, by unanimous consent, offered the following amendments:

Amend the title, page 1, line 1 of the title, by striking out "Conferring" and inserting: "Authorizing the conferring of."

Amend the title, page 1, line 2 of the title, by striking out "George Sarraf" and inserting: "Medical Corps Colonels who have served in World War I and World War II."

Amend Section 1, page 1, line 2, by striking out "and directed."

Amend Section 1, page 1, lines 2 and 3, by striking out "George" in line 2, and "Sarraf as a" in line 3, and inserting: "as."

Amend Section 1, page 1, line 4, by inserting after "Guard": "those Colonels in the Medical Corps thereof who have served in the Armed forces of the United States in World War I and World War II."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, I would like to read from Funk and Wagnalls College Standard Dictionary, which is the best I have been able to obtain. With regard to a recent semantic problem, the word "apologist" has just one definition, and is as follows:

"One who apologizes in defense of any person or cause."

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 9:30 o'clock p.m.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 9:30 o'clock p.m.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

HOUSE NONCONCURS IN AMENDMENTS TO **SB 1043**, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in amendments made by the Senate to **SB 1043**.

Said bill having been recalled from the Governor for

the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO **SB 1043**, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **SB 1043**, recalled from the Governor, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 1066**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. BERGER. Mr. President, I ask unanimous consent to consider Senate Bill No. 1066.

The PRESIDENT. There being no objection, the gentleman will proceed.

SENATE NONCONCURS IN AMENDMENTS MADE BY THE HOUSE TO **SB 1066**

Mr. BERGER. Mr. President, I now move that the Senate do nonconcur in the amendments made by the House to **SB 1066**.

Mr. KOPRIVER, JR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 1616**.

SENATE INSISTS UPON ITS AMENDMENTS NONCON- CURRED IN BY THE HOUSE TO **HB 1616**

Mr. BERGER. Mr. President, I move that the Senate insist upon its amendments nonconcurred in by the House to the foregoing bill.

Mr. WAGNER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL, RECALLED FROM THE GOVERNOR

He also presented for concurrence, **HB 1572**, said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. BERGER. Mr. President, I ask unanimous consent for the immediate consideration of House Bill No. 1572.

The PRESIDENT. There being no objection, the gentleman will proceed.

SENATE NONCONCURS IN AMENDMENTS MADE BY
THE HOUSE TO **HB 1572**, RECALLED FROM
THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to **HB 1572**, recalled from the Governor.

Mr. FLEMING. Mr. President, I second the motion.
The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL, RECALLED FROM
THE GOVERNOR

He also presented for concurrence, **HB 2297**, said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN
AMENDMENTS TO **HB 1971**, AND APPOINTS
COMMITTEE ON CONFERENCE

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 1971**, and has appointed Messrs. DOUGHERTY, KAMYK and RIGBY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NONCON-
CURRED IN BY THE HOUSE TO **HB 1971**, AND
APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1971**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.
The motion was agreed to.

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SCOTT, FLEMING and MCGINNIS as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1971**.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO **SB 297**, RE-
CALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to **SB 297**.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence **HB 2016**, which was referred to the Committee on Rules.

RESOLUTION RECALLING FROM THE GOVERNOR
HB 1980

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 17, 1959.

Resolved (if the Senate concur), That **HB 1980**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR
HB 2423

He also presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 17, 1959.

Resolved (if the Senate concur), That House Bill **HB 2423**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURRENT RESOLUTION CONCURRED IN

He also presented for concurrence House Concurrent Resolution, which was read as follows:

EXTENDING CONGRATULATIONS TO ADMIRAL
ROBERT LEE DENNISON UPON HIS ASSIGNMENT
TO FURTHER RESPONSIBILITIES OF THE HIGH-
EST IMPORT

In the House of Representatives, December 17, 1959.

Admiral Robert Lee Dennison, United States Navy, of Warren, Pennsylvania, has been designated by President Eisenhower to assume the duties of Commander of the North Atlantic Treaty Naval Forces, and Commander-in-Chief of the United States Atlantic Fleet.

Admiral Dennison, a four-star admiral, is a veteran policy planner of the United States Navy. Graduated from the United States Naval Academy in 1923, early in his career qualified for and entered the submarine service. During World War II, he won a Legion of Merit award for his role in the seizure and occupation of Actu and Kiska Islands in the Aleutians.

Later, for two years, he served as Assistant Chief of Naval Operations for Political-Military Affairs. For excellence in this assignment, he was awarded a Gold Star in lieu of a second Legion of Merit.

From 1948 until 1953, he served as naval aid to President Truman, and then commanded Cruiser Division Four in the Atlantic. Thereafter, he served as Deputy Chief of Naval Operations for Plans and Policy until becoming Commander-in-Chief of Naval Forces, Eastern Atlantic and Mediterranean.

All in all, Admiral Dennison is an important figure among the leading maritime powers in the field of strategic planning. He has become a world figure in naval affairs; therefore, be it

Resolved, (the Senate concurring), That the Commonwealth of Pennsylvania is proud of the high military character and the exceptional accomplishments in the naval profession of a most distinguished son; and be it further

Resolved, That the General Assembly extend sincere congratulations to Admiral Dennison upon his assignment to further responsibilities of the highest import; and be it further

Resolved, That a copy of this resolution be forwarded to Admiral Dennison.

Mr. BERGER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate concur in the resolution?

Mr. BERGER. Mr. President, I cannot let the resolution just read by the Clerk go by without making a very brief remark to the effect that the gentleman in question, Admiral Robert Lee Dennison, was a boyhood friend and schoolmate of mine. I want to join with all of his friends who live in Warren, and who formerly lived in Warren, in congratulating him upon his elevation to the duties of Commander of the North Atlantic Treaty Naval Forces and Commander-in-Chief of the United States Atlantic Fleet.

The PRESIDENT. I am sure we are all proud of that, sir.

And the question recurring,

Will the Senate concur in the resolution?

Mr. BERGER. Mr. President, I move that the Senate do concur in this resolution.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bill: **SB 297**.

COMMUNICATION FROM THE GOVERNOR APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 1106**.

REPORT FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported, as committed, **HB 2016**.

RESOLUTION REPORTED FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Resolution, **Serial No. 72**, entitled:

DIRECTING THE LOCAL GOVERNMENT COMMISSION TO INVESTIGATE THE FINANCING OF MUNICIPAL AUTHORITIES

The PRESIDENT. The resolution will be laid on the table.

BILLS ON SECOND READING

HB 1142—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 1380—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1388—Mr. BERGER. Mr. President, I move that **HB 1388** be dropped from the Calendar.

Mr. WADE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, House Bill No. 1388, Printer's No. 2120, has been approved by the Insurance Department. Insurance Commissioner Smith has been pressing for this measure. I believe there have been hearings on this matter and Commissioner Smith has appeared before the Insurance Committee in the House. The reason he was in favor of this bill, and is still in favor of it, is to protect the persons who buy insurance policies from mutual companies. The purpose of this bill is to protect these people because, under a mutual company, if the company fails, or has any difficulty, then the people who own the policies are actually considered stockholders and, therefore, are subject to pay the losses incurred by the company. I believe most people are not aware of this fact when they buy their insurance policies. They, too, may suffer some of the loss incurred by the companies.

The Insurance Commissioner is interested in protecting these people by making sure that the companies have enough funds available to them, so that if anything goes wrong or they happen to fall upon bad days, the individual policy holder, who is not aware of his responsibility, may not be injured.

Mr. President, I, therefore, ask my colleagues to vote "no" on this motion to drop this bill from the Calendar.

Mr. WADE. Mr. President, the bill we are considering is, as the gentleman said, a move, I believe, in the right direction. However, someone has caused the bill to be amended and makes it apply to the year of 1964, instead of currently. This would mean that we are legislating away into the future and, perhaps, assuming an obligation for some future, not yet elected, Legislature. Therefore, Mr. President, I do not believe it is good legislation.

Secondly, Mr. President, the bill provides that uniform policies be used by both stock and mutual companies. There is a category of undesirable automobile risks, who cannot obtain insurance from any one company and they are, so-called, pooled. If they were pooled, the form of policy which is provided for in this bill could not be used.

Mr. President, I think an amendment should be added to the bill providing, perhaps, a clause which would read something similar to this: With the insured agreement, he takes this policy and understands that it is a different policy than that provided by law and different from the standard form, and then accepts it in that form.

That would be one suggested amendment which we do not now have time to insert in the policy. Then, too, may I say that there is a category of fire insurance risks, who have a high rating and who, perhaps, are the owners of properties and have a long list of fire records and, therefore, cannot buy insurance at standard rates or will not be accepted by a standard insurance company. Some provision should be made so that they could buy policies at an increased rate.

This bill should be amended very drastically in that respect, if it is to be passed by this Legislature. However, I repeat, Mr. President, that since the bill is predated to 1964, we seem to be assuming an obligation for a future Legislature which has not yet been elected. I think we should leave that obligation to the Legislature which follows this one.

Mr. MAHADY. Mr. President, I want to say, at this time, that I agree, in principle, with this bill. It is late in the Session to study it. No one in the Senate has had

much time to study it, except, perhaps, the committee. However, the main thing which is very obvious is that it ignores the fact that reinsurance is at the basis of all insurance risks. The reinsurance agencies are not all in Pennsylvania, although the policies held may be in Pennsylvania.

An insurance contract, rather than an insurance policy, is the proper way to refer to coverage which any individual secures. That insurance contract often has to be tailor-made. This applies sometimes to different industries. For instance, I would hate to try to put the standard policy on places that were dealing with the atomic industry, which is just springing up. I could name other industries which are not, perhaps, so dynamic, but which are new and for which coverage cannot be secured under the standard policy, particularly reinsurance. The reinsurance feature is the danger here.

Mr. President, I agree with Senator Wade that since it is not effective until 1964, then a little more time should be taken in order to study it.

Mr. BERGER. Mr. President, I want to state to the Chair, and to the Senators, that I do not know very much about insurance, the standard form of policy or the form of policy contemplated by this bill. However, I do know all of the small mutual, rural companies are opposed to this.

Therefore, Mr. President, I have moved that it be dropped from the Calendar.

Mr. WEINER. Mr. President, before we move on from this business, I just want to say that it might very well be that these companies are opposing it. I suspect that many people oppose many things which they feel might not be in their best interest. However, I think our view should be whether it is in the interest of the people. We should be concerned whether it is in the interest of the people who are driven to these insurance companies and must deal with them. That should be the controlling interest and not whether the companies are in favor of it or not. When some of us are ill, it might very well be that we do not like to take the medicine which is prescribed, but it may help make us better. I think this is corrective legislation which will take care of a situation that I am afraid is not very good at the moment and which might, necessarily, get worse.

I do not agree with this business of taking more time. We can take more time next Session, the Session after that and the Session after that, and find that there will never be enough time to consider this matter. This is not a hasty piece of legislation. This is based on experiences which people have had with these companies.

Mr. BERGER. Mr. President, I wonder how these small mutual companies get such a lot of coverage?

Mr. WEINER. Mr. President, I could answer that question, but we would be here all night.

The PRESIDENT. I am sure that was not the intention of the question.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative, and the bill was dropped from the Calendar.

HB 1584, 1851, 1852, 2048, 2117, 2118, 2119, 2139 and 2323—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 2386—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN, on behalf of Mr. BERGER, offered the following amendment:

Amend Sec. 1 (Sec. 4), page 4, lines 18 and 19 by striking out both of said lines, and inserting: "six hundred twenty-one million four hundred thirty-one thousand four hundred dollars (\$621,431,400)."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN, on behalf of Mr. BERGER, offered the following amendments:

Amend Sec. 2, page 22, line 11, by striking out "10,-316,160" and inserting: "10,436,160."

Amend Sec. 2, page 23, by inserting between lines 2 and 3: "(d) Laurel Hill Park Improvements ...120,000."

Amend Sec. 2, page 23, by inserting between lines 2 and 3: "(d) Indiana County Recreation Park ...750,000."

Amend Sec. 2, page 32, by inserting between lines 3 and 4 the following:

"(C) At Farview State Hospital

(I) Replacement of telephone system ...136,400."

Amend Sec. 2, page 32, line 4, by striking out "(C)" and inserting: "(D)."

Amend Sec. 2, page 32, line 7, by striking out "(D)" and inserting: "(E)."

Amend Sec. 2, page 32, line 10, by striking out "(E)" and inserting: "(F)."

Amend Sec. 2, page 32, line 14, by striking out "(F)" and inserting: "(G)."

Amend Sec. 2, page 32, line 17, by striking out "(G)" and inserting: "(H)."

Amend Sec. 2, page 33, line 1, by striking out "(H)" and inserting: "(I)."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

HB 2459—Section 101 was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Sec. 101, page 5, by inserting between lines 13 and 14: "Inwood Bridge on Big Swatara Creek, on boundary between Union and Swatara Townships, Lebanon County. "Leven's Bridge on Little Swatara Creek, Swatara Township, Lebanon County."

Amend Sec. 101, page 5, by inserting between lines 13 and 14: "Bridge over Wills Creek on State Route 328 between the borough of Hyndman and Londonderry Township, in Bedford County. "Bridge over Six Mile Run

Creek on State Route 677 at the village of Riddlesburg, Broad Top Township, in Bedford County."

Amend Sec. 101, page 5, by inserting between lines 13 and 14: "Category 2 "And the following named county bridges in Lycoming County: "Arch Street Bridge, Maynard Bridge, Memorial Avenue Bridge, Slate Run Bridge, 3rd Street Bridge."

Amend Sec. 101, page 24, by inserting between lines 13 and 14:

"Category 4

"Route . Beginning at the intersection of Legislative Route 935 and Hunlock-Ross Road, thence over Hunlock-Ross Road to its intersection with Legislative Route 361, a distance of 7.74 miles, in Ross, Hunlock and Lake Townships, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 933 and Muhlenberg-Broadway Road, thence over Muhlenberg-Broadway Road to its intersection with Legislative Route 40067, in the Village of Broadway, a distance of 2.51 miles, in Union and Ross Townships, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 935 and Sorbertown Road, thence over Sorbertown Road to its intersection with Legislative Route 40069, Spur E, a distance of 3.81 miles, in Hunlock and Lehman Townships, Luzerne County.

"Route . Beginning on North Lake Road and Spur off the Hunlock-Ross Road, a county road at North Pond, thence continuing on North Lake Road and Spur, a distance of 0.91 miles, in Sweet Valley, Ross Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 40067 and Broadway-Town Line Road, thence over Broadway-Town Line Road to its intersection with Legislative Route 935, a distance of 2.29 miles, in Ross and Huntington Townships, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 11 and Dallas-Franklin Road, thence over Dallas-Franklin Road to its intersection with Legislative Route 40054, a distance of 1.89 miles, in Dallas Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 936 and Dallas-Huntsville Road, thence over Dallas-Huntsville Road to its intersection with Legislative Route 40058, a distance of 2.21 miles, in Dallas Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 232 and Eaton-Coreys Glen Road, thence over Eaton-Coreys Glen Road to its intersection with Legislative Route 40122, a distance of 4.03 miles, in Franklin and Exeter Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 40122 and Orange-Dallas Road, thence over Orange-Dallas Road to its intersection with Legislative Route 40131, a distance of 2.98 miles, in Franklin and Dallas Townships, Luzerne County.

"Route . Beginning on Fern Brook-Demunds Road at the Wyoming County line, thence over Fern Brook-Demunds Road to its intersection with Legislative Route 40054, a distance of 4.00 miles, in Franklin and Dallas Townships, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 40058 and Hillside-Chase Road, thence over Hillside-Chase Road to its intersection with a county road,

a distance of 1.08 miles, in Jackson Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 40122 and Orange-Sickler Road, thence over Orange-Sickler Road to its intersection with Legislative Route 40052, a distance of 2.30 miles, in Franklin and Exeter Townships, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 40058 and Follies Road, thence over Follies Road to its intersection with Legislative Route 40060, a distance of 3.00 miles, in Jackson Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 11 and Hillside-Huntsville Road, thence over Hillside-Huntsville Road to its intersection with Legislative Route 40058, a distance of 3.14 miles, in Jackson Township, Luzerne County.

"Route . Beginning at the intersection of Legislative Route 40124 and Meadowcrest Road, thence over Meadowcrest Road to its intersection with Legislative Route 40054, a distance of 0.85 miles, in Kingston Township, Luzerne County."

They were agreed to.

The section was agreed to as amended.

Section 102 was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 102, page 24, line 15, by striking out "Category 1" and inserting: "Categories 1 and 4."

It was agreed to.

The section was agreed to as amended.

Sections 103, 104, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 301, 302, 303, 304 and 401 were read and agreed to.

Section 402 was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Sec. 402, page 53, by inserting after line 19:

"Route 16112. Beginning on the centerline at the terminus of Legislative Route 03117 in Madison Township, Armstrong County; thence through lands of McLain Fire Brick Company in a northeasterly direction by a curve to the right having a radius of 32.37 feet, a distance of 32.85 feet, and a deflection to the right of the 58 degrees 09 minutes to station 0+32.85; thence through same, north 59 degrees 04 minutes 50 seconds east, 60.50 feet to station 0+93.35; thence through same in a northeasterly direction by a curve to the right having a radius of 129.11 feet, a distance of 39.68 feet and a deflection to the right of 17 degrees 36 minutes 40 seconds to a station 1+33.03; thence through same north 76 degrees 41 minutes 20 seconds east 79.00 feet to station 2+12.03; thence through same in an easterly direction by a curve to the right having a radius of 121.41 feet, a distance of 65.15 feet and a deflection to the right of 32 degrees 09 minutes 40 seconds to station 2+80.18; thence through same south 71 degrees 09 minutes 00 seconds east 66.57 feet to station 3+46.75, the centerline of a bridge known as the Saint Charles Bridge; thence crossing same north 39 degrees 58 minutes 30 seconds east 232.21 feet to the terminus

of Township Route T-468 in Porter Township, Clarion County; thence along the centerline of said Township Road north 39 degrees 58 minutes 30 seconds east 162.97 feet to a point; thence along same in a northerly direction along Township Road T-468 aforesaid approximately 1.5 miles to Township Route T-466 in Porter Township, Clarion County; thence along Township Road T-466 approximately 1.0 miles to Legislative Route 16005 in Clarion County".

Amend Sec. 402, page 60, by inserting between lines 15 and 16:

"Route 29049. Beginning at the intersection of Legislative Route 38 and Township Route 379, thence over Township Route 379 for a distance of about 0.9 miles to its intersection with Township Route 467, thence over Township Route 467 for a distance of about 1.38 miles to its intersection with Legislative Route 29029, a total distance of about 2.28 miles, in Ayr Township, Fulton County.

"Route 29050. Beginning at a point on Legislative Route 29010, thence northeasterly over Township Road 330 to the intersection with Legislative Route 267 Spur, a distance of about 1.8 miles, in Union Township, Fulton County".

They were agreed to.

The section was agreed to as amended.

Section 403, 404, 405, 406, 407, 501, 502, 503, 504, 601, and 602 and the title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President and Members of the Senate, I want to call your attention to the fact that I believe there were six sets of amendments which I just offered to House Bill No. 2459, and which affect Districts of the various Members of this Body. I presume that the action just taken includes all of the amendments which were offered.

The PRESIDENT. That is correct, sir.

BILL ON SECOND READING

HB 2463—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE CONCURRENT RESOLUTION, SERIAL No. 122, CALLED UP

Mr. PECHAN, without objection, called up from page 9, of the Calendar, Senate Concurrent Resolution, **Serial No. 122**, entitled:

Directing the Joint State Government Commission to study the feasibility of combining or merging the jurisdiction and/or the personnel of the County Court of Allegheny County and the Municipal Court of Philadelphia County with the Courts of Common Pleas of said counties.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL NO. 122, ADOPTED

Mr. PECHAN. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, **Serial No. 122**.

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I believe that I might be in a position to save the Commonwealth some money and would like to offer my services for whatever they are worth.

In the course of my activities, I happen to practice law before the Municipal Court of Philadelphia, and I do not see the feasibility at all of merging that with the Courts of Common Pleas of the city of Philadelphia. Our Municipal Court, in Philadelphia, is of a rather peculiar nature. There are fourteen judges who deal with problems relating to juvenile delinquency, domestic relations, small claims, civil claims and criminal claims, such as manslaughter, arising out of accident cases, problems dealing with burglary, sex cases, and the civil side of the court involving cases of \$2,500 or less. They also have other jurisdiction dealing, to a certain extent, with some claims from some of the boards and commissions. However, a good many of those are heard by the Court of Common Pleas.

I would like to respectfully mention to this Body that in the past month or two, we have had as many as twelve to thirteen Common Pleas Judges coming into the city of Philadelphia and manning our criminal courts, alone. We have criminal trials five and sometimes six days a week, manning eight to ten criminal courts in the city of Philadelphia. I do not see how the Common Pleas Judges who can hardly keep up with not only the civil work, as well as the equity list and taking their turns sitting in criminal court, can even begin to handle these problems which are presented by the Municipal Court.

Therefore, Mr. President, I think the feasibility of joining them with the Courts of Common Pleas, as far as Philadelphia is concerned, might be a great difficulty and, in the end, I think it will cost the Commonwealth a great deal of money. Perhaps it would be feasible in Allegheny County; I do not know. However, our fourteen Municipal Court Judges have this jurisdiction which runs through all the different areas that I mentioned. It might very well be that in Allegheny County there are separate judges assigned just to this one area. Perhaps it would be feasible to join them or perhaps they should take the County Court and extend their jurisdiction. I think the Courts of Common Pleas, speaking only for Philadelphia, are certainly greatly burdened now. I think a gentleman who can probably better attest to that fact than I is the gentleman who presides over this Senate, the Lieutenant Governor, who was a Common Pleas Judge in the city of Philadelphia for a good number of years.

Therefore, Mr. President, I urge my colleagues to keep an open mind on this matter and give it some thought when it come time to vote.

Mr. FLEMING. Mr. President, I would certainly rise to urge the Membership to vote for this bill. My learned colleague on the other side said that there is no need for such a study. I did not follow his entire speech, but I believe at one place he said they had some twelve or

thirteen visiting judges coming into Philadelphia to hear cases. The thought behind this resolution would be that the Joint State Government Commission would make a study of the feasibility of joining the Municipal Court with the Courts of Common Pleas of Philadelphia County, and the County Court with the Courts of Common Pleas in Allegheny County. Also, the commission would make a study of the feasibility and possibility of a Court Administrator.

I believe that the present Attorney General of Pennsylvania has recommended that such a course be taken. In so far as the two courts in Allegheny County are concerned, there was pending in the House, bills which would combine the courts and appoint, as the study suggests, a Court Administrator for it. I have no criticism to offer regarding the action of the House, but for some reason, the committee in the House saw fit not to bring the bills which were introduced out for action at this Session.

Since that has happened, certainly, I think it would be advisable and in the best interest of all the people of the Commonwealth if our fact finding body, the Joint State Government Commission, would make a study of this. I would surely feel that Senator Weiner, with his vast knowledge of the intricacies of court procedure in Philadelphia County, would be an excellent member of that study group. Possibly nothing would be accomplished, but I can see no reason why we could not be a little hopeful and make the study. I understand that the recommendations made by our present Attorney General are violently opposed by many of the Common Pleas Judges, both in Philadelphia and Allegheny Counties. She has had vast experience as a trial judge in Allegheny County and her recommendations might be of great value to the people. I can see nothing wrong with making the study.

Mr. WEINER. Mr. President, it might be that I was not very clear. However, when I stated that we do have twelve or thirteen judges coming into the city of Philadelphia, I meant to say that these are Common Plea Judges who would normally sit in their own communities. Apparently, they do not have enough business to keep them there and, therefore, they sojourn into Philadelphia on occasion. Most of them get to like it and want to come back again and again.

The fact is that our Municipal Court was set up, primarily, to deal with divisions such as child custody matters, domestic relation problems and problems which affect the family. As a matter of fact, I think at one time it was called the Family Court, but the jurisdiction has been further extended. Many of the judges are against a Court Administrator. They would like to have two of them appointed who would be based in Allegheny and Philadelphia Counties. However, they would oversee the entire Commonwealth and try to break the log jam.

Many of the judges are opposed to the doing away with the President Judges. In Philadelphia County, as in Allegheny County, I believe they have a President Judge of each Court of Common Pleas. In Philadelphia, we have twenty-one judges and seven Courts of Common Pleas. Over each, we have a President Judge. Therefore, we have seven President Judges sitting in Philadelphia. They were trying to do away with the President Judge system and have one President Judge, who would act in an administrative capacity as well as a judicial capacity. The judges opposed this action for many reasons, some being

meritorious and others which some lay people would feel did not have much merit. However, I do not think this can be solved very easily or very readily unless somebody is willing to take a great deal of time and go in and look at the backlog and at the type of cases which are not being handled and for what reasons they are not being handled.

For example, our juvenile court in Philadelphia hears anywhere between fifty to 100 cases a day. The judge who sits there is a very competent man. They start a little earlier in the morning than most courts start, around 9:15 or 9:30 o'clock. Sometimes they sit until 6:00 o'clock in the evening and sometimes later than that. However, they have a staff which also helps them to amass some of the information which the other courts may not have readily available to them.

Mr President, I want to thank the gentleman from Allegheny, Senator Fleming, for suggesting me for the job. However, I would appreciate it if he would tell me how long we are going to be here next year in order for me to take the job and be free to do it properly. Barring that information, I would like to decline this very fine honor. However, it might well be that the Senator has a point well taken on this matter. I do not have any strong feeling either way about it, but I felt that I would like to bring to the attention of the Members of the Senate some of the problems that face Philadelphia, from my knowledge of it. It might be that my point of view of it may be a jaundiced point of view and not really objective in regard to the merit of over-all pictures. Someone who might be objective about it and who may not be in the field might not feel the same. Therefore, perhaps I am not a good person to talk about this. I might be prejudiced one way or another about it.

Mr. MULLIN. Mr. President, when this study is made, I hope that it will encompass the matter of delaying justice. The Courts of Common Pleas of Philadelphia are at least a year and one-half behind in their civil trials. In their Municipal Court work, it takes about two months before a person even gets an interview. In the meantime, dependent children are going without support from the persons who should be supporting them.

I certainly feel there should be some investigation of this situation which, in my opinion, is very deplorable. If justice delayed is justice denied, then we are having considerable denial of justice in Philadelphia because of the lack of judges or the lack of something which is delaying the cases in our courts in Philadelphia.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE CONCURRENT RESOLUTION No. 124 CALLED UP

Mr. BERGER, without objection, called up from page 9 of the Calendar, House Concurrent Resolution No. 124, entitled:

Installation of fishways at dams in Susquehanna River with cooperation of State of Maryland.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT
RESOLUTION No. 124

Mr. BERGER. Mr. President, I move that the Senate do concur in this resolution.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION REPORTED FROM COMMITTEE

Mr. RUTH, by unanimous consent, from the Committee on Rules, reported without amendment, Senate Concurrent Resolution, Serial No. 124, entitled:

Directing the Joint State Government Commission to study the use of three member boards of attorneys—arbitrators.

The PRESIDENT. This resolution will be laid to the table.

SENATE RESOLUTION, SERIAL No. 72, TAKEN
FROM THE TABLE

Mr. BERGER, without objection, called from the table Senate Resolution, Serial No. 72, entitled:

Directing the Local Government Commission to investigate the financing of municipal authorities.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 72, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt this resolution.

Mr. FLACK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I am going to ask my colleagues to vote "no" on this resolution for the following reasons:

There was an investigation made of the Sanitary Authority. I read the report on it—the one which was placed on every Senator's desk—as well as the newspaper accounts of it, which were a little bit fuller than the accounts which appeared in the report. I believe Senator Koprivier was one of the Members who served on this committee and I wish someone would tell me whether the report was prejudiced or biased. However, it appeared to me that they found absolutely nothing and found that the Authority had done nothing wrong, had done a good job, was doing a good job and was continuing on in this vein. It seems to me that this had already been done and, therefore, I do not see any purpose which this resolution would serve.

In order to ask the Local Government Commission to look into this matter further or to pursue it, I think you must decide, first of all, whether you are against authorities. If you are against the philosophy of authorities, that is one thing. Once you have made up your minds to that, then the rest of it will follow by itself. Generally, I think authorities may have their weaknesses and they may have their drawbacks, but I think they do a good job. They do a job which, I think, is very difficult for any

group to do, whether it be local government or the Legislature. It is a continuing group which is small. It usually has powers to invest, to investigate and to do a complete job. Perhaps some of the authorities we have had in Pennsylvania have gotten out of hand a little bit or have gone too far afield, but usually they have done a good and effective job and one which I think very few of us can complain about.

Instead of investigating them, I think perhaps we should change the setup or the form which the authorities take, if that is our problem. However, I think, once having made an investigation and not having found anything, then you are saying that we should investigate again and see whether we can find something which we did not find before.

Mr. President, I ask my colleagues to vote "no" on this resolution.

Mr. LANE. Mr. President, I have reviewed this resolution. It says that the Local Government Commission shall investigate the financing of municipal authorities. They use the plural. At the end of the resolution, it says:

"Resolved, That the Local Government Commission make a report of its findings together with its recommendations to the next General Assembly."

How are we going to determine just what authorities we are going to investigate? If we are going to investigate the financing of authorities, we have them in about nine different categories and groups. We are going back in Session about January 4 or January 5. We could not possibly comply with the provisions of this resolution.

To investigate an authority under this resolution—the Local Government Commission has subpoena powers—seems virtually impossible. If we are going to do this job, I think we should postpone the effective date until the end of the next regular Session and then start the investigation. We would then have to also determine just what authority or authorities we might investigate. The resolution just states, "the financing of authorities." If we start in on school authorities, local school authorities, sewer authorities and utility authorities, where are we going to go from there?

I imagine Senator Stevenson may have some remarks on this matter, if he cares to make them. This is almost an impossible job. We cannot do this job between now and January 5, because we have to report to the next Session of the General Assembly. I think we should think that over.

Mr. BERGER. Mr. President, all I want to say about this is that I understand the report is to be made at the next Session of the General Assembly. Of course, when this resolution was drawn, we did not think at that time that we were going to have Annual Sessions. However, at the same time, Mr. President, I would submit that although we have a committee which is going to try to determine the scope of our legislative powers in the coming Session, to my mind, this would not be one of the things that could be taken up at that Session. Therefore, the report would not be due until the 1961 Session.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the motion was agreed to and the resolution was adopted.

The PRESIDENT. At this time, the Chair invites the

gentleman from Allegheny, Mr. Fleming, to the rostrum to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

SENATE CONCURRENT RESOLUTION, SERIAL No. 124, TAKEN FROM THE TABLE

Mr. BERGER, without objection, called from the table Senate Concurrent Resolution, **Serial No. 124**, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE USE OF THREE MEMBER BOARDS OF ATTORNEYS—ARBITRATORS

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 124, ADOPTED

Mr. BERGER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, **Serial No. 124**.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HB 2399 CALLED UP

HB 2399—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Reading Calendar, by Mr. BERGER.

HB 2399—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. CONFAIR, by unanimous consent, offered the following amendments:

Amend Title, page 1, last line of Title, by inserting after "tractors": "and increasing the fee for the annual registration of certain motor vehicles."

Amend Bill, page 2, lines 1 to 3 by striking out all of said lines and inserting:

"Section 1. Sections 702 and 702.1, act of April 29, 1959 (P. L. 58), known as 'The Vehicle Code,' section 702.1, added October 14, 1959 (Act No. 445) are amended to read:

"Section 702. Motor Vehicles.—The fee for annual registration of motor vehicles, except as provided in this act, shall be [ten dollars (\$10.00)] fifteen dollars (\$15.00).

"Section 702.1. Fee for Suburban Motor Vehicle Registration.—The fee for annual registration of suburban motor vehicles as defined in this act shall be [two dollars (\$2.00) in addition to] the fees [otherwise] prescribed by law for annual registration of passenger motor vehicles.

"Section 2. Section 1025 of the act, amended July 13, 1959 (Act No. 147) and November 9, 1959 (Act No. 489) is amended to read:"

Amend Sec. 1 (Sec. 1025), page 3 by inserting between lines 3 and 4: "The Secretary of Highways shall erect and maintain signs warning of the penalty for the violation of this section. At least five (5) signs shall be erected in each county for every one hundred (100) miles of State highway located within the country."

Amend Sec. 2, page 5, line 3 by striking out "2" and inserting: "3."

Amend Sec. 2, page 5, line 3 by inserting after "immediately": "but the change in registration fees prescribed by the act shall apply to registrations for the registration year commencing April 1, 1960."

On the question,

Will the Senate agree to the amendments?

Mr. CONFAIR. Mr. President, last evening, we heard so much about the Highways Department needing more money. The amendments I have offered would increase the cost of motor vehicle registration plates by five dollars per motor vehicle. This increase of five dollars per motor vehicle would bring in \$37,000,000 to the State of Pennsylvania.

The proposed penny a gallon gasoline tax is supposed to bring in a return of \$48,000,000. With the one dollar increase on the driver's license, which has already been passed, and this five dollars additional on each car for registration plates, it will bring in \$52,000,000, which is much more money than was requested under the one cent additional gasoline tax.

We heard from the other side last night, when they introduced a resolution to discharge the committee, that this money is needed and I agree with them. I want to give them the opportunity to bring in additional revenue for the highways which we so much need and which they said last evening that we needed.

My amendments will give them the opportunity to take care of the highways in the State of Pennsylvania and no doubt, each man on the Democratic side is going to vote for them. They know we need the money because they said last night that we needed it. Now here is their opportunity, if they meant what they said last night, to vote for additional revenue.

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Lycoming, Senator Confair.

The PRESIDING OFFICER. Will the gentleman from Lycoming, Mr. Confair, permit himself to be interrogated?

Mr. CONFAIR. I will, Mr. President.

Mr. LANE. Mr. President, if the gentleman would not be revealing any confidential secrets, I would like to ask him whether this is Caucus actions on the part of the Republican Party?

Mr. CONFAIR. No, this is not Caucus action. This is my own action.

By the way, I want to mention that the Secretary of Highways, sometime ago, when someone suggested to him which tax he preferred, said, "I do not care which tax, just so I get the money to build the highways." I know that is what you are interested in and that is the reason I brought it up.

Mr. LANE. Senator Confair, how many motor vehicles in Pennsylvania will come under the provision of these amendments?

Mr. CONFAIR. Mr. President, I do not know. I know this will bring in \$37,000,000. Therefore, if you divide \$37,000,000 by five, you will have the answer.

Mr. LANE. Mr. President, I want to comply with the rules and regulations here tonight for a change. So, may I further interrogate the gentleman?

The PRESIDING OFFICER. Will the gentleman permit himself to be further interrogated?

Mr. CONFAIR. I will, Mr. President.

Mr. LANE. Where did you get the figure of \$37,000,000?

Mr. CONFAIR. From the Highways Department. It is general knowledge that it will bring in \$37,000,000.

Mr. LANE. Are you positively sure that if we increase the registration plates by five dollars, as specified in your amendments, that it will bring in \$37,000,000 annually? Are you sure?

Mr. CONFAIR. I did not say that.

Mr. LANE. How are you going to bring in \$37,000,000, every two years, every five years or how?

Mr. CONFAIR. Every two years.

Mr. LANE. Every two years, \$37,000,000, I see. You are quite aware that people are paying a fee annually as far as registration is concerned. You are aware of that, are you not?

Mr. CONFAIR. Certainly.

Mr. LANE. Do you agree then that the Secretary of Highways is correct in the position he takes that he needs additional funds?

Mr. CONFAIR. I am in agreement with that. I agree with you on that.

Mr. LANE. In the event that these amendments are defeated, would you vote for a one cent gasoline tax increase?

Mr. CONFAIR. I did not say that.

Mr. LANE. No, but I am asking you that question.

Mr. CONFAIR. I do not have to answer that.

Mr. LANE. No, you do not have to answer it, but I thought maybe you would vote for such a tax because you feel that the Department of Highways needs additional funds to finance a highway program.

Mr. CONFAIR. When I will, I will tell you when.

Mr. LANE. You just admitted yourself that the Department of Highways needs additional funds.

Mr. CONFAIR. No, I said it needs additional funds according to what you said last night and I agreed with you.

Mr. LANE. I see. You will only vote to increase the funds by increasing the license registration plates.

Mr. CONFAIR. I did not say that.

Mr. LANE. Will you agree to vote for an increase in the gasoline tax then?

Mr. CONFAIR. That is a different subject than what we are discussing.

Mr. LANE. If you refuse to answer, say so.

Mr. CONFAIR. Mr. President, I refuse to answer because that is not what we are discussing.

Mr. LANE. Thank you.

Mr. President, Senator Confair reminds me of a—excuse me, this is just humor by the way—story I heard tonight. Another Senator—a Republican, by the way—told me this story about two Irishmen who came here from Ireland. They went to stay in a hotel in New York. They had never seen an elevator and they were talking about taking the steps. That night they slept in the hotel and the next morning Pat got up and went out to go down and get a bite to eat. He did not realize that the elevator shaft was not the steps, and he stepped down and fell about five stories and ended up lying in the bottom of the shaft. About that time, out came Mike. Mike was looking for Pat and he yelled for him for quite a bit. At last he went over to where the elevator shaft was and Pat heard him and said: "I am down here and

if you are going to come down, watch that first step because it is a bugger."

I think Senator Confair's position is about the same.

Mr. CONFAIR. Mr. President, I have taken the position in regard to this subject that, clearly and according to the Department of Highways, a one cent increase in gasoline taxes on a full annual basis will bring in \$31,324,936 per year. Of that amount, twenty per cent, under the law, will be allocated to the various political subdivisions for the financing of their roads and bridges. The Secretary also advises me that we have three and one-half million licensed pleasure cars in Pennsylvania, and so five times that will be the total amount which we will receive by increasing the registration by five dollars.

Mr. LANE. Mr. President, I am glad to hear Senator Confair make that statement because he was being coached over there by the second, third, fourth and maybe, the fifth team as far as his answers are concerned. That is perfectly all right with me.

However, let us look at the over-all picture. You fellows are taking the position that we should penalize every person who owns a pleasure car here in Pennsylvania. You feel we should increase their license registration plates by five dollars. On the other hand, the Joint State Government Commission Report show that if you put on a one cent additional gasoline tax, twenty per cent or one-fifth of that tax will be paid by out-of-State motorists.

I do not know where your opposition comes from on this. I know you are adamantly opposed to an increase in the gasoline tax.

I suppose the Senators on the other side have received this chart, but if they have not they can take a look at it. For example, Missouri has a total tax of seven cents. Now in the nine cent category, there is Alaska, Arizona, Delaware, Illinois, Kansas, Minnesota, New Jersey, Pennsylvania, Texas and Wyoming. Incidentally, Massachusetts has a tax of nine and one-half cents. Then you go on over to the ten cent bracket. That is the total tax. That includes quite a number of States. However, let us go to our neighboring State of Ohio, which we talk about so much. Their total is eleven cents. Now why in the world are we opposed to increasing the gasoline tax here in Pennsylvania by one cent?

The reason I am strongly for it is this: I think it is unfair for us to continue to penalize Pennsylvania motorists. Not long ago, we increased the operators' license fee. They pay a tax on oil, on the purchase of the car and on practically everything. I believe that if the tourists of the United States want to use our highways, they should surely pay a proportionate share of the tax. That is the position we take.

I am not going to vote for these amendments. After talking to Senator Whalley today, he agreed with me that we should increase the revenue for the Secretary of Highways. I talked with the front office and I gave them my opinion. They accepted it. I said that I feel we are being silly in our approach if we continue to penalize the residents of Pennsylvania by soaking them with another five dollar increase on the registration plates. Why should we not pass legislation to make everybody who uses our public highways pay a proportionate share?

That is the only logical approach that I can see on this matter.

I know that the hour is growing late and some of you fellows are getting tired. However, I wanted to explain our position and my position in regard to this. I believe that Senator Confair is taking a shortsighted approach to this problem. I know he is interested in the Keystone Shortway and I am proud that he is. However, I do not feel that he should be bound by what one particular group says. I believe he realizes, in his own mind, that the fairest thing to do is to put a one cent increase on the gasoline tax.

Remember, Mr. President and Members of the Senate, that the Federal Roads Administration, in Washington, D. C., has no particular fondness for Pennsylvania or any other State. If the time should ever come when we would not have the funds to match the Federal money, do you know what would happen? When we had our meeting, quite a few of the executives explained that Ohio was getting away with a lot more money than we were, so far as highways were concerned. They are going to allocate this money to Ohio, West Virginia, New York, California or the southern States, and here it is our money. How silly can we be?

They put an increase on the Federal gasoline taxes here not long ago. There was an increase of one cent. We are paying that and we are not complaining. We go out and we pay that additional one cent tax. That is replenishing the coffers of the Federal Roads Administration. When the time comes when we do not have the money to match the Federal money, we are going to be left out. You know that just as well as I do. The other day someone said, "Well, that has never happened before in Pennsylvania." That may be true, but that does not say that it will not happen in the future.

For that reason, Mr. President, I feel that each and every Member of the Senate should defeat these amendments and report out the gasoline tax and pass it.

Mr. EHRGOOD. Mr. President, in view of the fact that, of course, any Member on the Republican side has a right to offer any amendments,—and here is the perfect example—I am going to ask for a roll call vote on this. I do not happen to favor this measure, myself. Of course, Senator Confair has a right to his belief and I respect that. However, I, myself, do not believe in this measure. I also do not believe that the Department of Highways needs this money.

Therefore, Mr. President, I would ask for a roll call vote on this measure.

Mr. WEINER. Mr. President, I think this problem is rather an easy one. I hope you will forgive me if I bring up something which may not have any bearing on this bill, except that this bill may be unconstitutional. We are taking a bill, which deals with trash and trash disposal, and putting in the problem of raising the rate or the amount of money we are going to charge for registration plates.

To do that to this measure is not to give full value to the problem being presented to us. I think the issue involved in the bill before us certainly is not germane to the raising of the cost of the registration plates.

I also think that Senator Confair and the others who are supporting this measure are not dealing with it in a very fair manner. I think the people who make the heaviest use of the highways should at least bear their fair

share. You are hitting the people who drive pleasure cars or, in the cases of people moving to suburban areas, you are hitting their second cars. You are hitting them harder than you are hitting the commercial users who are heavy users of the highways.

I think that you are well aware of the fact that you are raising the cost of operating a pleasure car by fifty per cent. You are going from \$10 to \$15.

I would also like to point out one other factor to Senator Confair. The fact that he does not like the additional gasoline tax, or does not like the measure itself, does not mean that it is a bad measure. I would say that I think we would gain more money if we added the one cent on the gasoline tax. The registration plates are only bought once a year, and once you have made that collection, that is the end of it. However, if you add the penny to the gasoline tax, you are not only taxing the users of the highways in Pennsylvania, but you are taxing the out-of-State people who also use our highways and add to the traffic problem and to the heavy use which our highways receive. I think they should pay their fair share, just like you and I pay it when we travel outside of Pennsylvania to some other areas where they do have this tax. If people feel that they do not want to pay this, they do not have to travel on the highways of Pennsylvania. I am not saying that we should bar them, but I think they should bear their fair share of our cost of maintaining and keeping up these highways.

I think this is rather an illusory way of the gentleman making up his mind, thinking that he is going to solve the problem of the Keystone Shortway. It certainly is not a realistic approach. If I can gauge the sentiment of this Body, I think there are not very many Members who feel inclined to go along with the gentleman on this measure. One of the difficulties which you are going to have with this is not only the average person being against it, but many of the people in industry, who use automobiles, are also going to be against it. You may be hitting them too hard, because they may have fleets of cars on the highways. I think the one cent additional gasoline tax would be less painful and would not hit so many people.

Therefore, Mr. President, I ask my colleagues to vote "no" on this measure, first, because I think this measure is unconstitutional and second, because I think it is an unfair method of collecting or solving a problem which faces all of us.

Mr. BERGER. Mr. President, while I am going to oppose the amendments, my objections are not for exactly the same reasons. I am pretty sure that the one cent tax on one gallon of gasoline is not going to be much less painful. When the five dollars is once paid, it is paid. However, every time a motorist fills his gasoline tank, he pays in the neighborhood of fifty cents tax right now. With an increase in the gasoline tax, he would pay sixty cents tax. He does that a good many times during the year, Mr. President. Therefore, I submit that the impact of the one cent gasoline tax would be far greater upon the residents of Pennsylvania than it would be by increasing the cost of the registration plates. However, as I have said before, it has not been demonstrated to my satisfaction that this money is needed for the upkeep of the highways.

Therefore, Mr. President, I, for myself, intend to vote against these amendments.

Mr. WADE. Mr. President, I arise to oppose these

amendments on a little different angle. Senator Confair has offered amendments to House Bill No. 2399, which is an anti-litter bill. Of course, it is an amendment to the Motor Vehicle Code.

I have before me a copy of House Bill No. 2399, which was introduced in the House by three sponsors, one of whom is favoring us with his presence here tonight. I know of the keen interest of Mr. Gramlich, who hails from one of the fine counties in western Pennsylvania, —Venango—and of his long service in the House. He came to the House first in the 1953 Session. He has labored hard and long and worked among his fellow Members of the House for things that are good for the Department of Highways. I think, perhaps, there may be a subterranean purpose in Senator Confair introducing his amendments to this bill. In my humble judgment, they would certainly destroy the bill and make it unconstitutional if we were to adopt these amendments.

I think we should have respect for Mr. Gramlich, who, as I said, is favoring us with his presence here tonight, and for the other sponsors of this bill. If we want to meet this situation head-on, we should not try to attach it to legislation which is sponsored by those who are keenly interested in the subject matter which was originally in the bill; namely, to keep the highways of Pennsylvania clean so that we may all be proud of them.

Mr. WEINER. Mr. President, this just indicates that patience is its own reward. I did not think that this Session would come to an end where Senator Wade and I would find ourselves in agreement. However, it just shows you that all things come to him who waits.

I would just like to add that the Secretary of Highways said, at a small dinner given by Senator Lane for some of the leaders in the Senate for the purpose of going over this measure, that this increase in the gasoline tax would cost \$6.20 a year to the average motorist. Therefore, it is far less than the Federal tax that we now pay on gasoline. When I said it would be less painful, I did not mean that it is less painful to pay money, but less painful in the amount which the individual housewife, who drives a car, or the individual man who drives a car, must pay.

Therefore, Mr. President, I reiterate, and I ask my colleagues to vote "no" on these amendments.

Mr. EHRGOOD. Mr. President, one of the nice things, and I agree with Senator Weiner, is that I can agree with him, too.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. EHRGOOD and Mr. WATKINS, and were as follows, viz:

YEAS—2

Confair, Whalley,

NAYS—28

| | | | |
|----------|-----------------|----------|-------------------|
| Berger, | Kessler, | Mullin, | Stevenson, |
| Ehrgood, | Koprivier, Jr., | Pechan, | Taylor, |
| Elliott, | Lane, | Propert, | Wade, |
| Flack, | Madigan, | Ruth, | Wagner, |
| Harney, | Mahady, | Scott, | Watkins, |
| Hays, | Mallery, | Seyler, | Weiner, |
| Keller, | McGinnis, | Shafer, | Fleming, |
| | | | Presiding Officer |

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

COMMITTEE OF CONFERENCE APPOINTED ON SB 1043, RECALLED FROM THE GOVERNOR

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. SHAFER, SCOTT and MAHADY, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **SB 1043**, recalled from the Governor.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 11:50 o'clock p.m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 11:50 o'clock p.m.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

BILLS ON FIRST READING

Mr. BERGER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MADIGAN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 2016** and **2286**.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Friday, December 18, 1959, at 12:02 o'clock a.m.

Mr. PROPERT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:53 o'clock p.m.

HOUSE OF REPRESENTATIVES

THURSDAY, December 17, 1959

The House met at 12:00 noon EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Dear Lord and Father of Mankind, it is with humbleness of heart and sincerity of purpose that we come to Thee this day. We recognize that so often we would do things differently if only we could retrace our steps and actions. This was also true of the innkeeper who so long ago declared there was no room in the inn. If only he had known, he would gladly have given up his bed that Holy Night so long ago. Strengthen each one we pray with stamina of faith and purpose to weigh carefully the issues at hand, help each one with a willing heart to give Him room, and inspire each one with Thy presence that we may do all to Thy pleasing. In Thy dear name we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, December 16, 1959 will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1030.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore County of Lackawanna Pennsylvania for the use of the Department of Revenue and making an appropriation.

Referred to the Committee on Rules.

SENATE BILL No. 1272.

An Act amending the act of November 19, 1959 (Act No. 557) entitled "An act imposing a tax on real estate for public school purposes in school districts of the first class and first class A for current expenses" placing a ceiling on taxes for school purposes in such districts.

Referred to the Committee on Cities—Counties First Class.

SENATE MESSAGE

RECALLING SENATE BILL 1250

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 14, 1959.

Resolved (if the House of Representatives concur), that Senate Bill No. 1250, Printer's No. 1604, entitled "An act conferring the rank of Brigadier General Retired in the Pennsylvania National Guard upon George Sarraf," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. FRANK asked and obtained unanimous consent to address the House.

Mr. Speaker, I have a suggestion to make to the House. I believe that we should have some kind of ceremony to show the people of Pennsylvania that every day we are in the House be marked as a special occasion. Every day from now on is going down in history as breaking all past records for being in Session for one given year. Today marks the 117th day we have been in legislative session, the longest in state history. Why? That is a \$64 question.

Here we are in the holiday season, when everyone should be home with their families, preparing and getting ready for Christmas. After being here so long, what happens? The other side of the House is all of a sudden, coming to life and putting on a show—to show the public that they are working very hard on their behalf; that is—

The SPEAKER. The gentleman knows he is transgressing the rules of the House.

Mr. FRANK. In what way, Mr. Speaker?

The SPEAKER. In the animadversions upon the eminent and statesmanlike gentlemen who serve in another place.

Mr. FRANK. Well, what can I say if I want to refer to the other House?

The SPEAKER. Implying political implications that they would be capable of political intent of delay and obstruction. If no Member of the House objects, I simply inform the gentleman that he is transgressing the rule and with unanimous consent any Member can transgress all the rules.

Mr. FRANK. Thank you, Mr. Speaker.

To show the public they are working very hard in their behalf that is, to the tune of \$7,000 a day and maybe more because they are now having night sessions. The other night they were in session until 4:30 a.m. For what? To pass legislation? No. It was just a delaying action. They were debating who was to be confirmed on some of the boards. They are wasting valuable taxpayers' money, not saving it. Here we are in the House, sitting in our seats, waiting for them to pass some legislation.

Today we have only a three-page calendar, while they have a nine-page calendar. I have been told we will be here until Saturday. The calendar we have today could be finished within a few hours. Let us finish it today and go back home, and come back here when the other side of the House cleans up a good deal of their calendar. It is not fair to keep us here while they play to the grandstand crowd. Let us go home today and come back here on Monday to clean up. Let us not play the violin while Rome burns.

The SPEAKER. Why the gentleman from Lehigh would want to parade our legislative sins at this late date, I do not know.

INTERROGATION

Mr. BELL asked and obtained unanimous consent to interrogate Mr. Frank.

Mr. BELL. Mr. Speaker, would the gentleman from Lehigh, Mr. Frank, tell us where he got that figure of \$7,000 a day?

Mr. FRANK. Well, out of a book or somebody gave me the wrong figures. I received that from one of the Senators on the other side of the House. It might be more.

Mr. BELL. Mr. Speaker, would the gentleman from Lehigh really believe it costs the state \$7,000 for every day we are here?

Mr. FRANK. Well, the information I have received I think is pretty correct, I stated it could be more.

Mr. BELL. Could the gentleman from Lehigh break that figure down?

Mr. FRANK. I am only a pants man, it is pretty tough to be interrogated by a lawyer.

Mr. BELL. Thank you, Mr. Speaker.

Mr. FRANK. I would like to say this to the gentleman who is interrogating me, this is a no-fee case, so he might make it brief.

The SPEAKER. The Chair would suggest to the gentleman from Lehigh that while the gentleman from Lehigh is only a pants man, evidently the gentleman from Delaware has caught him with his legislative trousers down.

Mr. FRANK. Mr. Speaker, the way we have been here twelve months, I would like to tell you in 1960 I am going to take one of the rooms out here and I am going to bring in pants. Things have been bad this year.

Mr. BELL. Mr. Speaker, I would like to thank the gentleman from Lehigh, and have permission to make a very brief statement.

I concur with the gentleman from Lehigh, we have been here too long. In fact I see on our desks today something that is definitely in favor of the Legislature, because there is a bill to amend the Sales Tax, and if you have been in a hotel for more than thirty days in one month, you do not pay any sales tax, and I think this month some of us will not have to pay sales tax.

Seriously, this \$7,000 a day is the type of criticism which has been directed at this House and the other place, which I do not think is warranted. If you analyze that figure—how do you come to that figure? Are we paying employees \$7,000 to be here? The gentleman from Lehigh and I get the same pay whether we are here six months or two years, and I think that our overhead is not to be divided by how many days we are here or whether it is a long session or a short session. This figure of \$7,000 a day by our being in session is as phoney as a \$3-bill.

PERMISSION TO ADDRESS HOUSE

Mr. SCHAAF asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to express my personal disagreement with the statement made by the gentleman from Lehigh, Mr. Frank, to the effect that this is an expensive session. I do not believe it is, Mr. Speaker, for the reason that we have been here a total of 117 days and ordinarily that involves a departure from our own businesses and professions for 24 hours a day. Now, if you multiply that 24 by 117, you come up with a figure of 2808 hours. Since we are paid at the rate of \$6,000 a year, we are saving the Commonwealth money, because it is only paying us \$2 and some odd cents an hour. I think that is pretty cheap labor. I think the people of the Commonwealth ought to recognize that saving.

The SPEAKER. Will the gentleman from Cambria, Mr. Lopresti, come to the desk?

The SPEAKER. The Chair requests the gentleman from Cambria, Mr. Lopresti, to preside.

Mr. LOPRESTI IN THE CHAIR.

STATEMENT BY SPEAKER

The SPEAKER. The Chair is willing to serve night and day seven days a week for the transaction of general business as long as there is a quorum in the House and be ready to receive communications from the Senate or send communications to the Senate, irrespective of whether we have a quorum. But, if we are to pass upon measures like the Highway bill and our Education bill and matters relating to our Authorities, in limited hours with a pistol at our heads, that demand immediate action, as far as the Chair is concerned, there will be no such immediate action unless that action is decreed by a majority of a Constitutional quorum.

The time has come when the Chair believes we should create a precedent; the precedent that we are a Constitutional body and that we operate within the confines of well described, explicitly stated Constitutional duties. The Chair will, therefore, confidently expect that if there is a night Session, that if there is a delayed Session, a Session on Saturday, a Session next Monday, that a quorum be provided enabling this House to act in conformity with the Constitution which we are so solemnly pledged to obey and observe.

REPORT FROM COMMITTEE

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore County of Lackawanna Pennsylvania for the use of the Department of Revenue and making an appropriation.

BILLS ON FIRST READING

Pursuant to a resolution adopted Monday, June 15, 1959 the following bills were read the first time:

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore, County of Lackawanna, Pennsylvania for the use of the Department of Revenue and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 9, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code," prohibiting competitive racing on highways and fixing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 993, entitled:

An Act amending the act of June 1, 1956 (P. L. 1987), entitled "An act authorizing the Department of Highways with approval of the Governor to erect and construct a toll bridge over the Monongahela River connecting the State highway system in Washington County with the system of State highways in Fayette County and to provide the necessary approaches and connections with such State highways . . ." naming the bridge the William J. Lane-Eustice H. Bane Bridge.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1344, entitled:

An Act amending the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing which sells, conveys, transfers, releases, quitclaims or agrees to sell, convey, transfer, release or quitclaim or insures or agrees to insure title to the surface of land and providing for the effect upon the vendor, grantor, transferor, releasor or person who quitclaims or insures title or agrees to do any of the foregoing for noncompliance therewith," limiting the provisions of the act to transactions with respect to the surface of land under which there is coal and further regulating the notice required to be given.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1344

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. LAMB, CAPANO and TOMPKINS.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1355, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the reduction of a charge of larceny to a charge of shoplifting and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1355

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. McCANN, KAMYK and STEWART.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers authorizing the Department of Health to enforce rules and regulations of the Commission as provided in this act establishing Regional Air Pollution Control Associations and defining their powers reserving powers to local political subdivisions and defining the relationship between this act and the ordinances resolutions and regulations of counties cities boroughs towns and townships imposing penalties for violation of this act and providing for the power to enjoin violations of this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 2170.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. HAMILTON, STONE and PRICE.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commissioning as police officers certain employees of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lockups" extending its provisions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL NO. 2192.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. DEVLIN, FRASCELLA and BUCHANAN.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2193, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL NO. 2193.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. DEVLIN, FRASCELLA and BUCHANAN.

Ordered, That the Clerk inform the Senate accordingly.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, may I have permission of the House to talk to the House about the Conference Committees that are now appointed. I would like to bring to their attention the amount of time I feel they should work here on their bills.

The following committees are in operation in this House, and I would appreciate it if the chairmen of the

committees would today and tomorrow proceed accordingly to complete their reports or notify the Chair that there will be no reports.

House Bill 141, Messrs. Fineman, Yatron and Mrs. Henzel.

House Bill 900, Messrs. Schaaf, Kamyk and Mrs. Markley.

House Bill 1472, Mr. Eilberg, Mrs. Pashley and Mr. Kee.

House Bill 1675, Messrs. Stone, McLaughlin and Isaacs.

House Bill 2173, Mrs. Reibman, Messrs. Gailey and Tompkins.

House Bill 1195, Messrs. Gailey, Polen and Helm.

House Bill 1977, Messrs. Stone, Polen and Bower.

House Bill 2150, Messrs. Rovanssek, Polen and Wynd.

Senate Bill 24, motions will take care of discharging this committee.

Senate Bill 112, Messrs. Schaaf, Prendergast and T. H. W. Jones.

Senate Bill 785, Mrs. Reibman, Messrs. Gailey and Ashton.

Senate Bill 882, the report of the Committee of Conference is here.

I ask that the committees named today move right away with the necessary plans with their Senate conferences.

House Bill 1344, Messrs. Lamb, Chairman; Capano and Tompkins.

House Bill 1355, Messrs. McCann, Kamyk and Stewart.

House Bill 2170, Messrs. Hamilton, Stone and Price. That one is ready to be signed.

House Bill 2192, Messrs. Devlin, Frascella and Buchanan.

House Bill 2193, Messrs. Devlin, Frascella and Buchanan.

That makes a total of 17 Conference Committees at this point. By tomorrow we would like to know how many Conference Committee Reports we will have or that there will be no report at all from the committee.

Mr. Speaker, I would like at this time to make arrangements for a committee to go to the Senate. May I ask that on the Democratic side there be the gentleman from Philadelphia, Mr. Dougherty, the gentleman from Washington, Mr. Polen, and the gentleman from Allegheny, Mr. Kamyk. The gentleman from Washington, Mr. Polen, and I will accompany a similar group of the Republican Members to meet with the Republican and Democrat leadership in the Senate regarding the working schedule for the balance of this week, the bills that are on the Senate calendar and what agreements can be made regarding Senate bills.

Following that conference we would report to our respective caucuses the result of this meeting or these meetings in the Senate. With that in mind, I will make at the proper time a motion for a recess of one hour, of which the first 15 minutes will be spent by this committee in meeting with the Senate. When the Republican Members are finished with this, I will make the necessary motion for the recess, and will ask that the Republicans appoint a similar committee to accompany us to the Senate for the purpose of this meeting.

Mr. HELM. Mr. Speaker, I see nothing wrong with the procedure that the gentleman from Greene, Mr. McCann, is suggesting, but it seems to me for a committee of eight, four from your side and four from this side, will create the wrong impression in the Senate. I mean we will send over a group almost as large as the Senate itself.

I think we have enough confidence in our respective

Floor Leaders that those two Floor Leaders can go over and bring back a message and confer with the Floor Leaders over there. I do not think a committee of eight is necessary. I think a committee of two can do it and do it very well.

Mr. McCANN. We have no objections to that, Mr. Speaker. The only point involved is that there are some respective pieces of legislation which are major pieces, the General State Authority bill, the state Public School Building Authority Bill, the Highways bill, the Education bill on which we wanted to work out the complete timetable for completion, concurrence or nonconcurrence, and Conference Committees, so that we could plan Conference Committees ahead if we were going to do that and definitely find out whether there is any foundation to these rumors of one or two days next week, one or two days the following week and so forth.

I have had no official word other than my knowledge from my meeting with the Senate last Monday and Tuesday, that Friday of this week would be the last day this week and then the next day was going to be January 4.

Mr. HELM. Mr. Speaker, I have no fault to find with the mission. I think it is well directed, but I do object to the number of people. If you are going to take everyone over to the Senate who is interested in the Omnibus bill, or the GSA bill and some of the others that you have mentioned, perhaps we ought to take both caucuses over.

I am perfectly willing to have Mr. Johnson represent me, and I think every other Member over here is. They will take his word when he comes back, as they will yours, that you have worked out the proper time schedule and also everything else involved so far as setting up the committees is concerned. I am only objecting to the size of the committee. I think it would probably scare the Senate to see us all coming over.

Mr. McCANN. Mr. Speaker, the truth is, the committee would be larger than the Senate, would it not?

Mr. HELM. There are times when that would be true, I think, but I do not think it is true today.

Mr. McCANN. I understand. Mr. Speaker, we have no objection, and the committee will be two to go over to talk to them and report to our respective caucuses.

SENATE MESSAGE

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows:

SENATE BILL No. 136.

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district and making an appropriation.

SENATE BILL No. 727.

An Act to provide for additional law judges of the courts of common pleas in the seventh and the thirty-first judicial districts.

SENATE BILL No. 773.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prohibiting the closing of schools or departments during the school term and

providing for the payment of the salaries of professional employees in such cases.

SENATE BILL No. 794.

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district and making an appropriation.

SENATE BILL No. 1139.

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," extending the time during which certain persons can make application to the Civil Service Commission.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 882

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 882.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1207

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1207.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for payments on account of pupil transportation to certain additional school districts.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2268

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2268.

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 506.

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," reducing the tax rate of fuels used in turbine, propeller, jet, turbo-jet or jet driven aircraft and aircraft engines for a certain period of time.

HOUSE BILL No. 1121.

An Act amending the act of April 14, 1925 (P. L. 234),

entitled "An act relating to boarding houses for children providing for the licensing thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof by the Department of Welfare and fixing penalties," redefining "boarding houses for infants".

HOUSE BILL No. 1122.

An Act amending the act of June 25, 1947 (P. L. 940), entitled "An act relating to Boarding Houses for Infants providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties," redefining boarding houses for children.

HOUSE BILL No. 1639.

An Act amending the act of May 16, 1923 (P. L. 207), entitled "Municipal Claim and Tax Lien Law," extending the period for revival of suggestions and averments of nonpayment and default and the time for the filing and renewal of such claims in cities and school districts of the first class to twenty years.

HOUSE BILL No. 1927.

An Act amending the act of January 14, 1952 (P. L. 1695), entitled, as amended, "Fuel Use Tax Act," decreasing one tax for a certain period of time and clarifying certain types of aircraft.

HOUSE BILL No. 2108.

An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties providing for the establishment and operation of harness racing plants subject to local option imposing taxes on revenues of such plants disposing of all moneys received by the commission and all moneys collected from the taxes authorizing penalties and making appropriations.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 505, 594, 626, 1647, 2266, 2273, 2362, 2380, 2382, 2409 and 2422.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 505, Printer's No. 2011, entitled "An Act amending the act of August 24, 1951 (P. L. 1304) entitled 'Local Health Administration Law' extending the provisions thereof to counties of the first class and to municipalities located in counties of the first class and providing for the dissolution of and withdrawal from certain Departments of Health."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 594, Printer's No. 1947, entitled "An Act authorizing the Pennsylvania His-

torical and Museum Commission to acquire the Pechin House providing for the repair of the Pechin house authorizing the Pennsylvania Historical and Museum Commission to enter into an agreement for the administration thereof by the King of Prussia Historical Society and making an appropriation."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 626, Printer's No. 2034, entitled "An Act amending the act of June 24, 1937 (P. L. 2051) entitled 'Public Assistance Law' increasing monthly pension allowance and maximum income allowance establishing the sum of income and pension as a ceiling for pension receivable and making an appropriation."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1647, Printer's No. 1817, entitled "An Act amending the act of June 4, 1937 (P. L. 1625) entitled 'An act providing for the creation maintenance and operation of a county employees' retirement system in counties of the third class and imposing certain charges on counties' extending the provisions of the act to include certain per diem employees."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2266, Printer's No. 1366, entitled "An Act amending the act of June 2, 1891 (P. L. 176) entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' changing the inspection period imposing certain duties on mine inspectors mine superintendents and foremen requiring additional information on maps and plans and changing provisions relating to mine inspectors' reports."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2273, Printer's No. 1564, entitled "An Act amending the act of July 8, 1957 (P. L. 594) entitled 'Pennsylvania Cigarette Tax Act of 1957' by redefining certain terms including retail dealer and wholesale dealer authorizing the department to issue regulations pertaining to the payment of tax by use of stamps eliminating the right of other persons to purchase cigarette tax stamps permitting the department to prescribe the form and content of dealer and cigarette stamp affixing agency license applications providing for hearings under the Administrative Agency Law imposing additional fines and penalties for false and fraudulent violation of the act providing forfeiture proceedings and making other technical changes therein."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2362, Printer's No. 1667, entitled "An Act amending the act of June 1, 1959 (Act No. 78) entitled 'State Employees' Retirement

Code of 1959' making technical changes and clarifying language."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2380, Printer's No. 1807, entitled "An Act amending the act of June 3, 1937 (P. L. 1225) entitled 'The Game Law' changing certain penalties relating to deer and authorizing the game commission to authorize hunting or trapping by certain persons upon good cause shown."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2382, Printer's No. 2041, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'The Penal Code' changing the provisions which make certain worldly employment unlawful on Sunday."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2409, Printer's No. 1800, entitled "An Act authorizing the conveyance of Fort Necessity Park in Wharton Township Fayette County to the government of the United States for use as a National Park and with certain reservations ceding jurisdiction over such lands."

DAVID L. LAWRENCE.

December 16, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2422, Printer's No. 1834, entitled "An Act amending the act of April 6, 1953 (P. L. 3) entitled as amended 'Uniform Commercial Code' correcting certain inadvertent errors which if uncorrected would render the act not uniform with the Uniform Commercial Code of other states."

DAVID L. LAWRENCE.

REPORT OF LEHIGH COAL AND NAVIGATION COMPANY

The SPEAKER pro tempore laid before the House the Report of the Lehigh Coal and Navigation Company for the year 1959.

(For Report see Appendix)

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 2368.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

Said bill having been recalled from the Governor for

the purpose of amendment, the vote had on final passage third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has non-concurred.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to House Bill No. 2368.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN. Mr. Speaker, at this time Mr. Johnson and I believe it would be well to inform the Members that they may take a 30-minute break for lunch first and then caucus right away while we go to the Senate.

Mr. A. W. JOHNSON. Mr. Speaker, I take it then we are going to recess for lunch; we will then go into our respective caucuses, at least a Republican caucus at 2:00 o'clock. It may take as much as one hour. It seems it takes one hour for caucuses. Do I take it the Chair intends to call a recess of an hour and a half or would one hour be enough?

The SPEAKER pro tempore. An hour and a half is the present intention.

Mr. A. W. JOHNSON. I would like to announce that we will go to lunch now and try to get up to the Republican caucus at 2:00 o'clock sharp. We will try to get through as rapidly as possible in the caucus.

Mr. McCANN. Mr. Speaker, I ask that the Democratic Members bring their House calendars with them. The Democratic caucus will start at 2:00 p.m.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1207.

An Act amending the act of March 10, 1049 (P. L. 30) entitled "Public School Code of 1949" providing for payments on account of pupil transportation to certain additional school districts.

HOUSE BILL No. 2268.

An Act prohibiting mining in certain areas without prior approval by the Department of Mines and Mineral Industries establishing standards for the approval of plans for mining in such areas imposing powers and duties on the mine foremen and the Department of Mines and Mineral Industries and providing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

Mr. McCANN. Mr. Speaker, I move that the House take a recess for one hour and a half.

The motion was agreed to.

RECESS

The SPEAKER pro tempore. The Chair declares a recess for one and one-half hours.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

RESOLUTION

RECALLING HOUSE BILL NO. 2423
FROM THE GOVERNOR

Mr. PRICE offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 17, 1959.
Resolved (if the Senate concur), that House Bill No. 2423, Printer's No. 2068, entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council Inc. Boy Scouts of America" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. STEWART asked and obtained unanimous consent to address the House.

Mr. Speaker, with the help of many Members of the House and other interested people, I composed a poem which I would like to read to the House.

The SPEAKER. We have heard everything else.

Mr. STEWART. Bearing in mind, Mr. Speaker, that this is done in the Spirit of Christmas, and no offense meant just some little kidding, which I think helps sometimes to deflate our egos when we think possibly how important we are. It goes something like this:

Oh, to be in Harrisburg, now that Christmas is here,
Just to hear the raspy voice of one we hold so dear.
Oh, to be in Harrisburg, beneath the mistletoe,
With Tompkins whip and silver whistle, putting on a show.

Oh, to be in Harrisburg, with our fearless Al,
He didn't make the higher court, but he is still our pal.
Oh, to be in Harrisburg, and our glorious Speaker
With silver tongue wrapped around a carbolic acid beaker.

Oh, to be in Harrisburg, full with Christmas Cheer.
That other place we never say, but that is why we're here.

Oh, to be in Harrisburg when it's holly time
With Harve and Jim and Dave and Steve making all the chimes.

Oh, to be in Harrisburg at the time of the Christmas tree,

With gifts galore upon the floor and 200 jobs of the PUC.
Oh, to be in Harrisburg all summer, fall and winter
We grieve not for this lengthy stay while it dies without a whimper.

Oh, to be in Harrisburg with educators' pities
And watch the bitter battles waged by the country and the cities.

Along the walls around the House sit the other engineers,

Conveying to us one and all, their hopes, their dreams, their fears.

And on my left my colleagues sit, from the biggest town of all,

Running interference for Bill Green, who's on the ball.
But Dave, dear Dave, and Pop-Pop too, tax not our churches' steeples.

Have mercy on us legislators and our little peoples.

PERMISSION GRANTED COMMITTEE TO
MEET DURING SESSION

Mr. SNIDER asked and obtained permission for the Committee on Agriculture and Dairy Industries to meet during the session of the House.

CONCURRENT RESOLUTION

CONGRATULATIONS

Messrs. DAVIS and NEEDHAM asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, December 17, 1959.

Admiral Robert Lee Dennison, United States Navy, of Warren, Pennsylvania, has been designated by President Eisenhower to assume the duties of Commander of the North Atlantic Treaty Naval Forces, and Commander-in-Chief of the United States Atlantic Fleet.

Admiral Dennison, a four-star admiral, is a veteran policy planner of the United States Navy. Graduated from the United States Naval Academy in 1923, early in his career he qualified for and entered the submarine service. During World War II, he won a Legion of Merit award for his role in the seizure and occupation of Attu and Kiska Islands in the Aleutians.

Later, for two years, he served as Assistant Chief of Naval Operations for Political-Military Affairs. For excellence in this assignment, he was awarded a Gold Star in lieu of a second Legion of Merit.

From 1948 until 1953, he served as naval aid to President Truman, and then commanded Cruiser Division Four in the Atlantic. Thereafter, he served as Deputy Chief of Naval Operations for Plans and Policy until becoming Commander-in-Chief of Naval Forces, Eastern Atlantic and Mediterranean.

All in all, Admiral Dennison is an important figure among the leading maritime powers in the field of strategic planning. He has become a world figure in naval affairs; therefore, be it

Resolved (the Senate concurring), That the Commonwealth of Pennsylvania is proud of the high military character and the exceptional accomplishments in the naval profession of a most distinguished son; and be it further

Resolved, That the General Assembly extend sincere congratulations to Admiral Dennison upon his assignment to further responsibilities of the highest import; and be it further

Resolved, That a copy of this resolution be forwarded to Admiral Dennison.

Ordered, that the Clerk present the same to the Senate for its concurrence.

REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL NO. 900.

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 900.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT FROM COMMITTEE

Mr. FARABAUGH from the Committee on Agriculture and Dairy Industries, re-reported as committed, Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and

further regulating the sale and importation of bakery products.

RECONSIDERATION OF VOTE

Mr. FARABAUGH. Mr. Speaker, I move that the vote by which Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

was agreed to on third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. FARABAUGH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, second and third lines of Title, by striking out "AUTHORIZING CERTAIN SECTIONS BY COUNTIES."

Amend Sec. 1 (Sec. 3), page 7, lines 13 to 20, page 8, lines 1 and 2, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mrs. Varallo for Mr. MAXWELL for the remainder of today's session because of illness.

Mrs. Varallo for Mr. CAPITOLO for today because of illness in the family.

Mrs. Varallo for Mr. LEONARD for the remainder of today's session.

Mrs. Varallo for Mr. LUTTY for the remainder of today's session.

Mrs. Varallo for Mr. CLARKE for the remainder of today's session.

Mrs. Varallo for Mr. MULLEN for the remainder of the week because of illness.

Mr. TOMPKINS for Mr. J. H. GOLDSTEIN for the remainder of the week.

Mr. Tompkins for Mr. McINROY for the remainder of of the week.

Mr. Tompkins for Mr. BRENNINGER for the remainder of the week.

Mr. Tompkins for Mr. HAUDENSHIELD for the remainder of the week.

Mr. Tompkins for Mr. BORIS for the remainder of the week because of illness in the family.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 785.

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 785.

The SPEAKER. This being a Senate Bill, the report will lie over for printing by the Senate.

RESOLUTION

RECALLING HOUSE BILL NO. 1980 FROM THE GOVERNOR

Messrs. Stone and Varner offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 16, 1959.

Resolved (if the Senate concur), that House Bill No. 1980, Printer's No. 2079, entitled "An act amending the act of June 3, 1937 (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' further regulating the marking and counting of ballots", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1572, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, this is the bill, House Bill 1572, which was amended after being recalled from the Governor, and this will be the first official roll call of the day. I ask the Members on this side support the bill by voting "Aye" in the affirmative. The amendments were placed in the bill by Mr. Walsh, I believe, of Allegheny County.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

| | | | |
|------------|-------------------|--------------------|------------|
| Agnew, | Gelfand, | Mahan, | Scarcelli, |
| Anderson, | Goldstein, M. H., | Markley, | Schaaf, |
| Arlene, | Goodrich, | Meholchick, | Schwartz, |
| Ashton, | Gramlich, | Mihm, | Seltzer, |
| Balthaser, | Guthrie, | Miller, B. Z., | Sherman, |
| Barton, | Hamilton, | Miller, H. G., | Shupnik, |
| Bell, | Helm, | Mills, | Snider, |
| Bonner, | Henzel, | Muldowney, | Stank, |
| Bower, | Hocker, | Munley, | Steckel, |
| Branca, | Holliday, | Murphy, A. J., Jr. | Stewart, |
| Breth, | Horst, | Murray, H. P., | Stimmel, |
| Buchanan, | Irviss, | Murray, J. J., | Stone, |

| | | | |
|---|--|---|--|
| Burns, Capano, Cianfrani, Cioffi, Comer, Curwood, Davis, Dennison, Devlin, Dougherty, Edwards, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Fulmer, Galley, Gallagher, Garlock, | Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Kovolenko, Kubitsky, Lamb, Lee, A. M., Lee, K. B., Light, Limper, Lopresti, Luigard, McCandless, McCann, McDonald, McLaughlin, Machmer, | Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovasek, Royer, Rudisill, Sakulsky, | Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varner, Verona, Wall, Walsh, Wargo, Weidner, Welsh, Wescott, Williams, A. D., Jr., Williams, E. S., Wood, Worley, Wynd, Yatron, Yetter, |
|---|--|---|--|

Andrews,
Speaker

NAYS—0

NOT VOTING—61

| | | | |
|---|---|---|--|
| Auker, Blair, Boles, Boris, Bowman, Brenninger, Brown, Capitolo, Clarke, Cooper, Crossin, Dengler, Dennis, Donahue, Donaldson, Down, | Ellberg, Ewing, Fox, George, Gibb, Goldstein, J. H., Haudenschild, Heavey, Heffner, Holt, Jenkins, Jones, T. H. W., Jump, Kornick, Korns, | Leonard, Lippincott, Lutty, McCormack, McInroy, McKeever, Magee, Maxwell, Merry, Monroe, Moran, Mullen, Murphy, P. J., Murray, P. G., Naugle, | O'Dell, Perry, P. E., Reidenbach, Schuster, Silverman, Snare, Stevens, Strausser, Ujobai, Wheeler, Whittaker, Willard, Willaredt, Wilt, Zimmerman, |
|---|---|---|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

VOTE AGAINST AMENDMENT TO HOUSE BILL
No. 1115

Mr. FILO. Mr. Speaker, just a few moments ago Senate Bill 1115 was introduced on the floor of the House. At the same time amendments to the bill were introduced and during the confusion I am sure Members from Allegheny County would have liked to have been recorded as voting "No." I would like to know if at the present time we could reconsider those amendments and have anyone who—

The SPEAKER. With the permission of the House the entire Allegheny delegation or the Pittsburgh delegation may be recorded against the amendments, if that is the desire.

Mr. FILO. That is desired, Mr. Speaker.

The SPEAKER. The record will show so.

Mr. FILO. Thank you, Mr. Speaker.

Mr. McCANN. Mr. Speaker, was the gentleman from Allegheny, Mr. Filo, talking about the entire delegation or just the Democrats?

The SPEAKER. Democratic Members of the delegation.

Mr. AGNEW. Mr. Speaker, I want to make it absolutely certain that Mr. Filo was not speaking for this Allegheny Republican.

The SPEAKER. Mr. Filo is not speaking for any Republican. He is speaking for the members of the Democratic delegation.

Mr. AGNEW. Well, he did not say so. It certainly was not clear, and particularly it might not be clear in the printed record at some later date. I just want to say in respect to that; this is one Allegheny Republican who does not follow blindly the arrogant dictates of the Allegheny County Health Department.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I would like to interrogate the gentleman from Alleghen, Mr. Filo.

The SPEAKER. Will the gentleman from Allegheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. A very limited amount, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, what were the nature of the amendments which you are against, Mr. Filo?

Mr. FILO. I believe they take out the exclusion of Allegheny County from the bill.

Mr. M. H. GOLDSTEIN. In other words, you are against these amendments because Allegheny County Health Department would be affected, is that correct?

Mr. FILO. Would have been affected, that is true.

Mr. M. H. GOLDSTEIN. I would like to be recorded as voting with the Democrats on this amendment. Thank you.

Mr. THOMPSON. Also being a Republican Representative from Allegheny County and not hearing the complete remarks of the gentleman, I also endorse helping out our Health Department in Allegheny County whenever necessary.

BILL ON FINAL PASSAGE RECALLED FROM
GOVERNOR

Agreeably to order

The House proceeded to the consideration on final passage of House Bill No. 2297, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1945 (P. L. 736), changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

| | | | |
|--|--|---|---|
| Agnew, Anderson, Arlene, Ashton, Balthaser, Barton, Bell, Bonner, Bower, Branca, Breth, Buchanan, Burns, Capano, Cianfrani, Cioffi, Comer, Curwood, Davis, Dennison, Devlin, | Gelfand, Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Helm, Henzel, Hocker, Holliday, Horst, Irvis, Isaacs, Jim, Johnson, A. W., Johnson, R., Jones, F. R., Kamyk, Kee, Keiser, Kernaghan, | Mahan, Markley, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Munley, Murphy, A. J., Jr., Murray, H. P., Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. A., O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, | Scarcelli, Schaaf, Schwartz, Seltzer, Sherman, Shupnik, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Varallo, Varner, |
|--|--|---|---|

| | | | |
|------------|-------------|---------------|-----------------------|
| Dougherty, | Kessler, | Pashley, | Verona, |
| Edwards, | Knecht, | Perry, H. H., | Wall, |
| Eshback, | Kooker, | Petrosky, | Walsh, |
| Eshleman, | Kovolenko, | Polaski, | Wargo, |
| Farabaugh, | Kubitsky, | Polen, | Weldner, |
| Fetterolf, | Lamb, | Prendergast, | Welsh, |
| Filo, | Lee, A. M., | Price, | Wescott, |
| Fineman, | Lee, K. B., | Pursley, | Williams, A. D., Jr., |
| Floyd, | Light, | Reibman, | Williams, E. S., |
| Flynn, | Limper, | Renwick, | Wood, |
| Foerster, | Lopresti, | Rigby, | Worley, |
| Frank, | Luigard, | Riley, | Wynd, |
| Frascella, | McCandless, | Rovansek, | Yatron, |
| Fulmer, | McCann, | Royer, | Yetter, |
| Galley, | McDonald, | Rudisill, | |
| Gallagher, | McLaughlin, | Sakulsky, | |
| Garlock, | Machmer, | | |

Andrews,
Speaker

NAYS—0

NOT VOTING—61

| | | | |
|-------------|-------------------|----------------|---------------|
| Auker, | Elberg, | Leonard, | O'Dell, |
| Blair, | Ewing, | Lippincott, | Perry, P. E., |
| Bales, | Fox, | Lutty, | Reidenbach, |
| Boris, | George, | McCormack, | Schuster, |
| Bowman, | Gibb, | McInroy, | Silverman, |
| Brenninger, | Goldstein, J. H., | McKeever, | Snare, |
| Brown, | Haudenschild, | Magee, | Stevens, |
| Capitolo, | Heavey, | Maxwell, | Strausser, |
| Clarke, | Heffner, | Merry, | Ujobal, |
| Cooper, | Holt, | Monroe, | Wheeler, |
| Crossin, | Jenkins, | Moran, | Whittaker, |
| Dengler, | Jones, T. H. W., | Mullen, | Willard, |
| Dennis, | Jump, | Murphy, P. J., | Willaredt, |
| Donahue, | Kornick, | Murray, P. G., | Wilt, |
| Donaldson, | Korns, | Naugle, | Zimmerman, |
| Down, | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 742, entitled:

An Act amending the "Legal Holiday Law" approved May 31, 1893 (P. L. 188), providing that when holidays occur on a Saturday Friday shall be deemed and declared a public holiday.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. TOMPKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2016, entitled:

An Act creating a Pennsylvania Youth Foundation Providing for its membership prescribing its powers and duties and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. KAMYK. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Welfare.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, this motion made by the gentleman from Allegheny, Mr. Kamyk, is a part of a commitment regarding House Bill 2016 with a previous print number. The gentleman from Cambria, Mr. Lopresti, the gentleman from Allegheny, Mr. Devlin, the gentleman from McKean, Mr. Johnson, and others worked regarding a set of amendments in this particular field in this bill. The agreement is to be fulfilled in the recommitment of this bill, and the Chairman so indicated to the committee at that time. Therefore, I ask that we do agree to the recommitment even though it is not the same bill that was reported from the Committee.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL PASSED OVER

There being no objection

House Bill No. 2295, Printer's No. 2004 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 413, entitled:

An Act providing for group life insurance for State employes establishing a schedule providing for payment and providing for reduction of insurance upon retirement.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Section 1, page 1, line 1, by inserting after "The" "Department of Property and Supplies with the approval of the."

Amend Section 3, page 4, line 7, by inserting after "dividends" "brokerage fees or commissions."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

Mr. M. H. GOLDSTEIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, second line of Title, by striking out "and."

Amend Title, page 1, last line of Title, by inserting after "retirement" "and authorizing the Secretary of the Department of Property and Supplies to act as exclusive broker for the purpose of contracting for insurance."

Amend Bill, page 5, by inserting between lines 16 and 17 "Section 6. The Secretary of the Department of Property and Supplies is hereby authorized and his duty shall be to transact all business as a licensed insurance broker for the purpose of contracting for insurance under the provisions of this act and his powers and duties to act as a broker hereunder shall be exclusive."

"Any and all fees collected by the Secretary of the Department of Property and Supplies for the performance

of his duties as an insurance broker shall be paid into the insurance fund provided for hereunder."

Amend Sec. 6, page 5, line 17, by striking out "6" and inserting "7."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. M. H. GOLDSTEIN. Mr. Speaker, the purpose of these amendments is to make certain that no brokerage fee in connection with a group insurance plan affecting 70,000 employees shall be paid to any person other than the Secretary of the Department of Property and Supplies acting as agent for the persons insured in this plan.

It is my opinion that the bill without these amendments would be uncertain in its interpretation and that it would be possible for hundreds of thousands of dollars to be paid to some official. The immensity of the sum involved is as follows:

We have 70,000 employees in the state who would pay in \$50 a year for the group insurance plan, totaling \$3.5 million. If the brokerage fees are only five percent, this is \$175,000 annually. This money must be paid into the fund. I am told it is possible that it could be paid into the fund without these amendments. I do not agree with this interpretation. If we can spend days in clarifying liquor bills and we can spend days in clarifying horse racing bills, let us make it certain that \$175,000 a year will go into the hands of the state and not to some small group.

I ask for and I hope that we shall get bi-partisan support on these amendments, particularly because of the fact that the sponsors of the other amendments state they are in agreement with the principles outlined in my method.

Mr. HELM IN THE CHAIR

Mr. POLEN. Mr. Speaker, these amendments introduced by the gentleman from Allegheny, Mr. Goldstein, do the same thing as the amendments I offered except that they spell out in detail. I see no objection to these amendments.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1066, entitled:

An Act authorizing the recapitalization of limited life insurance companies and limiting the amounts for which such companies may issue policies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Agnew, | Gelfand, | Mahan, | Scarcelli, |
| Anderson, | Goldstein, M. H., | Markley, | Schaaf, |
| Arlene, | Goodrich, | Meholchick, | Schwartz, |
| Ashton, | Gramlich, | Mihm, | Seltzer, |
| Balthaser, | Guthrie, | Miller, B. Z., | Sherman, |
| Barton, | Hamilton, | Miller, H. G., | Shupnik, |
| Bell, | Helm, | Mills, | Snider, |
| Bonner, | Henzel, | Muldowney, | Stank, |
| Bower, | Hocker, | Munley, | Steckel, |
| Branca, | Holliday, | Murphy, A. J., Jr., | Stewart, |
| Breth, | Horst, | Murray, H. P., | Stimmel, |
| Buchanan, | Irvis, | Murray, J. J., | Stone, |
| Burns, | Isaacs, | Musto, | Stoner, |
| Capano, | Jim, | Needham, | Stroup, |
| Cianfrani, | Johnson, A. W., | Nelson, | Sullivan, |
| Cioffi, | Johnson, R., | O'Donnell, J. A., | Taylor, |
| Comer, | Jones, F. R., | O'Donnell, J. P., | Thompson, |
| Curwood, | Kamyk, | Odorisio, | Tompkins, |
| Davis, | Kee, | Ogilvie, | Trusio, |
| Dennison, | Keiser, | O'Neill, | Varallo, |
| Devlin, | Kernaghan, | Parlante, | Varner, |
| Dougherty, | Kessler, | Pashley, | Verona, |
| Edwards, | Knecht, | Perry, H. H., | Wall, |
| Eshback, | Kooker, | Petrosky, | Walsh, |
| Eshleman, | Kovolenko, | Polaski, | Wargo, |
| Farabaugh, | Kubitsky, | Polen, | Weidner, |
| Fetterolf, | Lamb, | Prendergast, | Welsh, |
| Filo, | Lee, A. M., | Price, | Wescott, |
| Fineman, | Lee, K. B., | Pursley, | Williams, A. D., Jr., |
| Floyd, | Light, | Reibman, | Williams, E. S., |
| Flynn, | Limper, | Renwick, | Wood, |
| Foerster, | Lopresti, | Rigby, | Worley, |
| Frank, | Luigard, | Riley, | Wynd, |
| Frascella, | McCandless, | Rovansek, | Yatron, |
| Fulmer, | McCann, | Royer, | Yetter, |
| Galley, | McDonald, | Rudisill, | |
| Gallagher, | McLaughlin, | Sakulsky, | Andrews, |
| Garlock, | Machmer, | | Speaker |

NAYS—0

NOT VOTING—61

| | | | |
|-------------|-------------------|----------------|---------------|
| Auker, | Ellberg, | Leonard, | O'Dell, |
| Blair, | Ewing, | Lippincott, | Perry, P. E., |
| Boles, | Fox, | Lutty, | Reldenbach, |
| Boris, | George, | McCormack, | Schuster, |
| Bowman, | Gibb, | McInroy, | Silverman, |
| Brenninger, | Goldstein, J. H., | McKeever, | Snare, |
| Brown, | Haudenschild, | Magee, | Stevens, |
| Capitolo, | Heavey, | Maxwell, | Strausser, |
| Clarke, | Heffner, | Merry, | Ujobal, |
| Cooper, | Holt, | Monroe, | Wheeler, |
| Crossin, | Jenkins, | Moran, | Whittaker, |
| Dengler, | Jones, T. H. W., | Mullen, | Willard, |
| Dennis, | Jump, | Murphy, P. J., | Willaredt, |
| Donahue, | Kornick, | Murray, P. G., | Wilt, |
| Donaldson, | Korns, | Naugle, | Zimmerman, |
| Down, | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1204, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" providing for testing of brakes by means of a brake testing devise.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTER

Mr. McCANDLESS. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

On the question,

Will the House agree to the motion?

Mr. SCHWARTZ. Mr. Speaker, I rise to oppose the motion for recommitment of this bill. My reasons for opposing the motion are rather simple ones.

In my opinion, an automobile is potentially more dangerous than a loaded pistol. I do not know whether this particular measure has any merit or whether it does not, but it seems to me we must at all times be in favor of highway safety and try to improve the methods in use for highway safety especially in connection with automobiles and motor vehicles.

I would much have preferred this bill to have been a shall bill as it first originated, as it was introduced in the Senate. The bill in the Senate was amended so that it became a may bill and that is the way we had it over here. As you know, early in the week I introduced amendments to make it a shall bill and there was so much opposition I withdrew the amendments so that the bill could come up in its present condition as a may bill merely.

For some reason a reaction sets in the minute you try to make any changes in the inspection of automobiles. Since 1953 I have been trying to get legislation passed in this House which would require a mud guard on an automobile. For some reason that is very unpopular, and I think maybe it is because it adds to the cost of the car. I cannot see that at all.

I am not concerned with cost. If the dollar and a half for inspection charges today is not sufficient, then it ought to be two dollars. We ought to concern ourselves with highway safety and the safety of the people who use automobiles and use the highways.

We should pass this type of legislation because it is my understanding that the present method of testing brakes is completely inadequate. The law presently requires a brake test of this kind. You must be able to stop your vehicle at 20 miles an hour within 30 feet.

The question arises, is this type of test satisfactory and sufficient? I have been advised that it is not because what you are actually doing in that type of a test is, once you put your brakes on, you have tested your brakes. From that point on your wheels have been stopped by the brake, but your car continues to move on the highway. So, actually, what you are doing is testing the friction of the tires on the road bed and nothing more. If the brake testing meters and devices, the so-called decelerameters, are any good and do work and do improve present methods of testing brakes, then all Members of this House should be in favor of an improvement. This bill as a may bill would at least implement to some extent the Department in continuing with research and trying to improve highway safety and testing of automobiles.

On Monday of this week Mr. Johnson, the Minority Leader, asked me certain questions about the bill, the amendment, and I know Mr. Johnson was sincere in his questions because he is as much concerned about highway safety as I am. I have tried to get some of the information he asked about and I think I have received it. At the present time there are six of these brake-testing devices that have been approved by the department here in Pennsylvania. Six different types of meters. Some of them I understand retail for as low as \$14.50. They all

have a very common principle. Those meters are presently absolutely required in the State of Rhode Island. There are some seven or other states where they are in use at the present time, such as, Vermont, New Hampshire, Massachusetts, Virginia, Indiana, etc. Delaware is another state.

I am not worrying about the expense to the operator of the service station. I do not think anyone else should. What we should be concerned with is the safety of automobiles and the safety of passengers on the highways.

I am saying, therefore, that we should not recommit this bill. We should let it come to a vote and you should examine your conscience as to whether or not a bill such as this has merit and will help with highway safety.

Mr. McCANDLESS. Mr. Speaker, I am as much interested in highway safety as the gentleman from Philadelphia, Mr. Schwartz, and I see no need for this type of bill cluttering up the desk after the main bill, since he has already said that six or seven types of these have been approved by the department if they want to use them. It would seem to me that probably the next step would be to try to push that into a shall bill.

I know we have a Member on this side who has one of these machines and told me he would sell it for a fraction of what it cost him. I want to say this to the Members of this House, I have been a dairyman for many years and used to being visited by an inspector pretty often. Every once in a while one would come along with something we had to have that we did not know anything about, and the next day a salesman would drop in and try to sell this gadget or whatever it might be. I think something like that might be the case in this particular instance.

I say that there is no use in cluttering up the desk with this bill, a may bill. If it had any merits it should have been put before the House as a shall bill. I would like to see this bill recommitted and ask for a slow roll call on this motion.

On the question recurring,

Will the House agree to the motion?

A division was called for, seventy-seven Members having voted in the affirmative and forty-four in the negative, the question was determined in the affirmative and the motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KAMYK asked and obtained permission for the Committee on Welfare to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. STROUP asked and obtained unanimous consent to address the House.

Mr. Speaker, my comments concern the expose of the manipulations of the Tax Equalization Board as it was reported in today's newspapers. I shall establish, I think, that the reports of this board in the years 1958 and 1959 have been arbitrary and illegal.

The 1958 report certified real estate values in Pennsylvania at \$32,707,000,000, but the actual base value of \$38,479,000,000 determined by the board was arbitrarily reduced by 15 percent in order to arrive at the reported figure. The net effect of this illegal action was to provide

ten times more state school subsidy for a million dollar district per teaching unit than a \$100,000 district could receive. For example, a \$900,000 school district, by reason of this 15 percent reduction, gained \$694.85 per teaching unit, while a \$200,000 teaching unit district gained \$154.41 per teaching unit.

Obviously, this arbitrary policy for which there is no comment whatsoever, or authority, in the act greatly favors the high market value per teaching unit district, and such districts as Philadelphia and Pittsburgh and other urban areas profited thereby. We shall readily admit that Pittsburgh and Philadelphia need money for their schools just as indeed do desperately the third and fourth class school districts.

Handling reports this way is no way to do the job, nor was it within the purview of any intention whatsoever or within the legality of the statute that such action should ever be taken by this Board.

Short days ago we were informed by the distinguished gentleman from Greene to the effect, and I cannot quote him exactly, but too long the cities and the urban areas have been denied their fair share of school subsidies while the rural areas basked in the favoritism of the Legislature. Now, that is not exact, but it was to that effect. If such were true, and I deny that it is true, the Tax Equalization Board has taken good care of the wealthier districts, and illegally, too.

On June 30, 1959, this board of arbitrary finality—there is no appeal for what they do, you know—issued its market valuation report. We well remember the day. On or about the fourth of July the fireworks started. Here in the House consternation was rampant. Rural school districts all over the state sensed disaster, for the new market values certified a decrease in real estate values of around \$500 million in Philadelphia, and correspondingly so in the wealthier districts, while the poor districts had certified increased values. Philadelphia and Pittsburgh, nine of the second-class school districts, and seven counties profited greatly thereby, I think to the extent of about \$5.5 million, while certain third and fourth class districts lost about \$7 million in state subsidies.

Strangely enough, it did seem odd to some of us that Pittsburgh and Philadelphia real estate should suddenly depreciate so greatly considering the spectacular rebirth and the many great improvements that have been made in those cities in the past several years, particularly by the Democratic administration in those cities, and more so, indeed, when we considered the facts that one could almost entertain an increase in values because of the inflated purchasing power of the dollar. But, we reasoned, if the Board said so it is our creature—it must be so, and so it was.

So, with characteristic resourcefulness this Legislature strove to avert catastrophe. We talked about a freeze clause in the General Appropriations bill and we talked about a freeze clause in House Bill 1108, and we finally enacted a freeze clause so that we would stabilize matters for the poor school districts, and then we talked about moving the average for '56, '57, and '58 so as to control this Tax Equalization Board, and now we have on our calendar a certification bill for the odd numbered years. All this in order to preclude a repetition of this unhappy situation. So, by dint of concerted legislative action the poor districts have been held stable for a little

while, and the well-heeled districts keep their hard-earned gains.

We begin to doubt the bona fides of the work of this creature of ours, the Tax Equalization Board. It seems we have had the faith of a child. I remember standing before this House and stating in my naive manner, as a little boy from out of the hills of Pennsylvania, that I would be the last to charge this Board or the Administration with any possible chicanery in such a matter. Well, it was just one of those things. We third and fourth class school district boys here in the Legislature calmed our rising fears and redoubled our efforts in behalf of House Bill 1108, having great confidence in the oft-repeated lip service which the Administration has given to public education in Pennsylvania.

Now as we approach the dying hours of this Session, the handwriting looms darkly on the wall, for that which should be first in our deliberations, the education of our children in our public schools, has been shunted into the ash-can to receive the crumbs from this enormous budget after all else, including our departments have feasted sumptuously from the largest of its \$400 million increase.

Last Tuesday night in the other Body, a bitter battle took place over the confirmation of Messrs. Bevec and McGlinchey to the Tax Equalization Board for another four years. Certainly they deserved this appointment at the hands of the Administration for a job well and faithfully done, "thou good and faithful servant," even though certain Democratic Senators maintained that Mr. Glinchey had not participated in the Board's certification of values and this despite the commandments of Sections 8 and 11 of the Act which require the Board to compile data and determine values. Notice the emphasis on the word "Board".

Well, today in the Patriot and other newspapers came the coup de grace. The cat is out of the bag, for we learn that Mr. Frank Cochran, the third member of the Board and the Secretary of the Board did not sign the Board report of 1959, that his name was forged and apparently placed on this report at the direction of the chairman and that he never would have agreed to it had he known such intense increase in subsidy would have gone to Pittsburgh and Philadelphia.

We believe there is something drastically wrong. This situation does not smell good; in fact, the stench is seeping out of the Capitol dome. May I respectfully request that if His Excellency, the Governor, had nothing to do with such a report, and I do not think he had, he should immediately withdraw his nominations and disavow the 1959 report. Furthermore I submit it is high time, in the light of all these facts, and even if they were not conclusive facts, in the light of these suspicions, that we in the Legislature take steps to invalidate the 1959 report, return to the 1958 valuations, until a reliable, responsible, untarnished report can be secured in 1960 by a new untarnished board.

I now yield to Mr. Tompkins from Cameron.

The SPEAKER pro tempore. The gentleman from Bedford yields to the gentleman from Cameron, Mr. Tompkins.

Does the gentleman from Greene desire to be recognized?

Mr. McCANN. I do.

The SPEAKER pro tempore. Does the gentleman desire to be recognized before the gentleman from Cameron?

Mr. McCANN. Yes, I do. There is a question of unanimous consent here. Are we going into a chain command discussion regarding the Tax Equalization Board? If we are, we are ready to reply.

The SPEAKER pro tempore. The Chair has been informed that the gentleman from Cameron is going to speak on the same subject.

Mr. McCANN. Precisely so.

Mr. Speaker, it is my understanding it is a series of chain command regarding the discussion. This board is an honest board, and we want to put in a reply. If that is so, I stand here to object to unanimous consent to have honest men's characters chastized by statements that have no truth.

The SPEAKER pro tempore. Will the gentleman from Greene permit the Chair to recognize the gentleman to whom Mr. Stroup had yielded and then let the gentleman from Greene, Mr. McCann, reply?

Mr. McCANN. I believe it would have been better had I been consulted as to what the speech was going to be about before I granted the unanimous consent. But, since I have, I have already fulfilled that, I think it is only fair to say, because I have always notified the other party when I intended to rip into them, I am going to do it today then.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. A. J. MURPHY. I come from the county that the Chairman of that Board is from, Mr. Speaker, and I withdraw my consent to the speakers to speak on this subject.

The SPEAKER pro tempore. The gentleman had already been given unanimous consent to address the House.

Mr. A. J. MURPHY. I have not given my consent to this speaker to address the House.

The SPEAKER pro tempore. The gentleman did not object when unanimous consent was requested. The gentleman is objecting too late. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

For what purpose does the gentleman from Erie, Mr. SchAAF, rise?

Mr. SCHAAF. Mr. Speaker, under the ruling the Chair made several months ago, I understood that unanimous consent could be withdrawn at any time.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, please come to the desk? The Chair would like to have just a brief conference.

(After a period of time)

The Chair is of the opinion that the Majority Leader should be given the opportunity to answer any debate by any individual, and, therefore, before recognizing the gentleman from Cameron, Mr. Tompkins, the Chair now recognizes the Majority Leader, the gentleman from Greene, Mr. McCann.

Mr. McCANN. Thank you, Mr. Speaker.

I think this comes as another fine example of Republican strategy in leadership regarding the present situation they are in.

The State Tax Equalization Board, by law a creature of the legislature, completed a job and filed a report that is required by law. That entire committee faced a Re-

publican Senate committee for, I believe, a total of four or five days, regarding that report and every phase of it. Did they find anything illegal, as the gentleman from Bedford, Mr. Stroup, says? Did they find anything that was done not in compliance with the law? I think the answer is quite clear. I think one thing you can say is that you are running a losing battle and you have made your own bed in this situation.

For example, the name of John Bevec, Washington County Democrat, Chairman of the State Tax Equalization Board, if I remember correctly, was laid on the table the other night in the Senate, with no action taken either to confirm or to knock it down. He is an honest Christian man, a church man, a man who works five days a week, at least eight hours a day every day in his office of the State Tax Equalization Board; a man who I personally know will never even travel in a state car in which he is entitled to go to his own home and back, who rides public transportation or rides with some of the other members, who does not file an expense account. Did you know that? He draws his salary, works every day; a man who I have known for 15 years of my personal life. I know no matter what I asked him to do the answer would be, no, unless it could be done honestly. That is number one.

He is a man who would not illegally sign his name to a report. I say to you the people of Pennsylvania can judge the report by the caliber of the man who heads the Commission, the finest example of Christian man you will find in Pennsylvania.

Now what is the Senate doing in this case? The report was filed legally, completed, certified, transmitted; copies are in everyone's possession, the official State Tax Equalization market value report of every school district in the Commonwealth as required by law.

The other night the Senate did what? It acted both as a jury and a judge. If the report is illegal, let's see where it is illegal. Is it illegal in the county of Greene, that I know something about. In my own county some of the school districts' valuations were raised, some lowered. Was it then done politically? If it was, then it was done politically against me and my Party as Democrats, for two of the districts that were raised are Republican townships, the only two in the county. This could not have been political. It is not political. You say then that it was done for the great city of Philadelphia and Pittsburgh.

I say to you that men like John Bevec or Herbert McGlinchey would never consent to such a report unless it was done in the compliance of the law, and the thing that I think we need to say is that the Tax Equalization Board, from its inception has never done the job it was supposed to do and required to do by law. Do you disagree with that statement? If you disagree then there is something wrong with the report. And if it is illegal, you have due process through this legislative chamber and the Senate, which is in control of the Republican Party, to start your investigation and process, which was what they were seeking when they were before the committee, and they failed to do it because there are no grounds to base it on.

To place into the record of this House statements to tarnish the names of those men, which the Senate is trying to do, because they are acting both as a judge and

a jury, to put up the name of Herbert McGlinchey and then vote it down, and then if they desire to do it to John Bevec and Garlock of New Kensington, which they did, that is within their power, but I say to you the people of Pennsylvania and the editorials of the newspapers of this state are making the decision for you in our favor.

We want you to go right ahead the way you have been doing in those decisions because we will take our case to the people in the coming election, whether you choose to make it next fall or in the gubernatorial year. These men have not carried out any orders of any Governor. No Governor of this Commonwealth has ever issued such orders. This Tax Equalization Board has done an honest piece of work. And I am proud to say is representative of my Democrat party. I will stand in front of my maker to say to you that it is an honest report, and you knew it to be such when you checked it in your own county.

Mr. TOMPKINS. Mr. Speaker, before going into the remarks that I have and the purpose of my being here, I want to first get a few things back on the track.

The Majority Leader speaks of the honesty of the gentleman from Greensburg, Mr. Cochran. We agree with him in that respect, because he was honest enough to come forth and disclose the truth of what took place.

The Majority Leader has said that Cochran did not illegally sign his name. With that we agree, too, because according to the newspaper reports somebody else signed it without his knowledge and consent, which further makes him an honest man.

In that respect, the news report this morning carries this paragraph on this situation:

Attorney General Ann X. Alpern said the signature fracas would have no bearing on the validity of the report since two other members of the three-man Board, Bevec and Herbert J. McGlinchey of Philadelphia, signed and approved it.

If that is the case, then what took place to bring about the charge of forgery of a name is much more reprehensible when that alleged forgery was absolutely unnecessary, and by those actions place an employee of that board in such a compromising position. Those are among the things which are the issues before us at this time.

In pursuance of that and because of what charges have been leveled in the press by Mr. Cochran, I have prepared a resolution asking for the appointment of five House Members to thoroughly investigate this, and with what has been disclosed here this afternoon, in my opinion, makes it so much more necessary that it be done because of the fact that what was done according to the Attorney General, was uncalled for, unnecessary and so absolutely out of order.

I have a resolution to offer, Mr. Speaker.

Mr. McCANN. Would the gentleman from Cameron permit himself to be interrogated regarding the report?

The SPEAKER pro tempore. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Cameron, Mr. Tompkins, tell us if the gentleman from

Westmoreland, Mr. Cochran, a member of the State Tax Equalization Board, signed the minutes and the certification of that report?

Mr. TOMPKINS. I have no knowledge that he did so and that is one of the purposes of my resolution.

Mr. McCANN. Well, suppose instead of wasting your time with a resolution, we produce the certification signature and the minute signature and prove to you all he did not sign was the letter of transmittal. What would be the difference? He signed the certification and the minutes; all he did not sign was the letter of transmittal. How would this change, in any way, any findings of this report?

Mr. TOMPKINS. Mr. Speaker, that is exactly what we want to find out.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly. I think he will find in the Senate hearing also that Mr. Cochran, a member of the Tax Equalization Board of Westmoreland County, signed the minutes of the meeting, everything except the letter of transmittal, he was not present on the day it was done.

Mr. TOMPKINS. Mr. Speaker, I have not compared the report with the minutes to find out whether or not they corresponded to the minutes. The minutes are not what we base our subsidy reimbursement upon; it is the signed report by the members of the board. That it what we base our subsidies upon.

You said he would not have signed it had he known the contents of this report. Now certainly those are matters that are a legitimate subject of inquiry.

PERMISSION TO ADDRESS HOUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I ask unanimous consent of the House to address the House.

The SPEAKER pro tempore. The Chair hears no objection and the gentleman will proceed.

Mr. POLEN. Mr. Speaker, the name of a friend of mine from Washington County, whom I recommended to the Governor for appointment to the State Tax Equalization Board because I have known him for over 30 years. I knew him as a clerk in the county office; I knew him as the chief clerk to the county commissioners; I knew him as the deputy county treasurer of Washington County, and I knew him as the treasurer of Washington County. I know of no man in this Commonwealth for whom I have more respect, for his honesty, his integrity and his character. He would no more stoop to doing the things he has been charged with here today, he would never, and he has never.

I do not believe this is the proper forum to crucify men who have done a good job. Mr. Cochran, signed the minutes and the certification of the Tax Equalization findings. In a routine manner the transmittal was signed by, I believe, Mr. Barton, who has a brother serving in this House.

It is my understanding that it was only the transmittal, but I am assured and it is a matter of public record to which any Member of this House or anyone else can refer, that Mr. Cochran did sign the certification and the minutes in which it was done.

I have known John Bevec for over 30 years. In our county his character and his integrity are above reproach.

Until today I have never heard it brought into the disrepute that it was. I personally resent it. I do not think it is a proper function of this House to drag honest men through the mud, simply because they did a job they were required to do under the legislation in which they act. And I deny, now, that there was anything political about the findings of the Tax Equalization Board.

I might further state the previous member of that Board was from Washington County, John O'Neil, and I would say the same thing about him here today, that political considerations have never entered into it so far as the chairman, under either the Republican or Democrat administrations.

I have confidence in the men that have been on the Tax Equalization Board and I resent what has been said here today regarding the chairman of that board. John Bevec.

INTERROGATION

Mr. GELFAND asked and obtained unanimous consent to interrogate Mr. TOMPKINS.

Mr. GELFAND. Mr. Speaker, did I hear the gentleman quote the Attorney General, Anne X. Alpern?

Mr. TOMPKINS. You did, as taken from the Press.

Mr. GELFAND. Mr. Speaker, in view of the fact that the gentleman has indicated he has taken the quote of the Attorney General from the Press, am I correct in assuming he read the entire article in the Press?

Mr. TOMPKINS. I read the article that was in this morning's Patriot under the byline of Leonard Unger.

Mr. GELFAND. Mr. Speaker, I think that inasmuch as the gentleman has read the article in the Press, would I be correct in assuming he read everything the article contained?

Mr. TOMPKINS. I read the article in this morning's Patriot.

Mr. GELFAND. Is the gentleman aware then that the article indicated all the minutes of the Board were signed by the gentleman, Cocran?

Mr. TOMPKINS. So the article said, and so the Majority Leader said from the floor this afternoon.

Mr. GELFAND. Then, as a matter of fact, all the gentleman knows pertaining to this matter is what he saw in the public Press and he has no personal information as to anything else?

Mr. TOMPKINS. I have not looked at the minutes. I have not seen them, no, sir.

Mr. GELFAND. I thank the gentleman.

Mr. Speaker, I say we have committed a shame in this House, that we have allowed Members to pick up an article from the Press and, by innuendo, besmirch some of the men who may be some of the finest in this Commonwealth. We have a Tax Equalization Board which prepared a report, which was submitted to the Commonwealth. This Tax Equalization Board was subjected to all the inquisition and questioning possible that the Senate could have given it. The Board was gone over thoroughly and the report was gone over thoroughly by the Senate, and nothing wrong could be found. In order to cast aspersions upon the validity of the report, what we have is, by virtue of a Press report, a group of men in this House, sitting on my right, completely besmirching the character and quality of the report with no basis, no foundation whatsoever. I say shame. This is not the place to play this type of politics. If you want to make

a stump speech, get out on the street and make it, but do not besmirch this chamber. Do not besmirch this Body. Do not demean the dignity of the Pennsylvania Legislature by this type of operation.

PERMISSION TO ADDRESS HOUSE

Mr. SHERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I have spoken on this House floor heretofore with reference to the Tax Equalization Board, many weeks ago. I had hoped at that time that the rural areas and some of our naive boys, who often act as children in this House, would some day come to their senses and apparently try to live in harmony in this House. But to my amazement those are not the facts.

I was pleased to see another rural area Member, Mr. McCann, answer very ably those from the other side. I was also pleased to hear from him the other day, making a similar reply in which he hoped, as one rural area Member to another, that we should have harmony in this House of ours instead of, what I term, unAmericanism. I state that we have heard from our naive boy, and I say "naive boy" because I agree with Mr. Stroup's own statement, that he is a naive boy from the hills of Pennsylvania, in making a statement and at the same time stating that he is interested in education.

Actually, gentlemen and ladies of the House, I wonder to what extent some of our men who ordinarily make statements of that kind and type are interested in education. Are they interested in education to the extent that they have wasted 12 months of our time when we, the Democrats, have sought to do things in a matter of three or four months, if we had their cooperation, instead of sitting on something without giving one ounce of attention to such fields of education?

I have stated in my remarks previously, several months ago, that we may be termed the Majority party on this side, but the record will show that I have also stated, that you, on the other side of the House, get equal pay with us in trying to do a job, and you cannot throw the responsibility and blame on us, because the people will recognize that.

Let us see what you are trying to do. You have waited 12 months, and I say 12 months for what? In trying to make speeches on this floor and using delaying tactics from day to day in this House of ours in condemning those who are interested in the field of education, such as, the able men on the Tax Equalization Board of ours. They are interested. They have other men under them who have been sufficiently interested in the fields of education to make a careful study of the records in the counties and they have gone deep into those records in order to come out with actual facts. What has happened with those facts? The other Party thought there was something wrong, just like someone by picking up a newspaper and suddenly introducing a resolution, thinking out of his imagination or clear skies that something may be wrong. And yet . . .

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Dougherty, rise?

Mr. DOUGHERTY. Mr. Speaker, I do not think the Minority Leader needs help from the side lines. I have been noticing that gentleman over there talking continuously.

The SPEAKER pro tempore. The gentleman is correct. No one is permitted to talk to the Members while the House is in Session.

Mr. SHERMAN. My speech, Mr. Speaker, may be a little longer than usual because this is not only a matter of making a statement, but I consider it a matter of personal privilege which affects our very district in making these statements.

I state in considering Philadelphia and considering the other counties, we in Philadelphia have taken over a lot of properties. We have shown to you as Members of the House, and to the Senate, in a proper investigation by them, because they thought, as some naive boy in this House thought, that something may have been wrong. And what have those naive boys from the hills of Pennsylvania found out? They have wasted the taxpayers' money and came to the conclusion that there is absolutely nothing wrong. They have made a complete investigation and had a cross-examination of both McGlinchey and the other members of the State Tax Equalization Board. They found nothing wrong and praised them.

Not only that, they found that everything was legal and proper under all circumstances. Why are you making these speeches? Why are you condemning them when you should not, when you should actually consider matters which are important to this House and try to get rid of the business of this House?

Let us take Mr. McGlinchey, whom I have personally known for many years and I vouch for his character a hundred percent. He has been cleared of all wrongdoing, even though it may have been politically inspired by some of you Republicans. He has been cleared by the Government and he has been ably commended by your own Senators. He has been the only man who has licked your candidate, Hugh Scott, in the state of Pennsylvania as a Congressman, and he has been given a vote of confidence by his district, which is one of the largest in the state of Pennsylvania as far as a Congressional District.

You now charge him of wrongdoing. I state, now you come here twelve months later and, if anyone says his name was not put up properly, where was he months ago before this House was to adjourn? Where was he six months ago, and three months ago? You felt that perhaps some of us might not be present today and you try to besmirch the character of our good citizens of the state of Pennsylvania. I claim what you say now is absolutely un-American. An apology is owed, not to me, for I do not need an apology, but to the other rural area Members of our state in Pennsylvania and perhaps to others who do not deem themselves as naive as to be mere children or boys as admitted by Mr. Stroup.

Once again I say let us have harmony and let us hear what you have to say in the proper form, based on actual facts and not upon lies.

PERMISSION TO ADDRESS HOUSE

Mr. STECKEL asked and obtained unanimous consent to address the House.

Mr. Speaker, me thinks that the last gentleman protests too much.

You know we did not come here to judge Caesar's wife; we did not start out on that basis in the first place. We started out on the basis that we had here a three-

man body that dispenses by its determinations about half of the general fund of this Commonwealth.

We did not start the discussion as a personal criticism of Caesar's wife; rather, we are dealing with a three-man board that dispenses approximately one-half of our general fund money by their determinations. For this Legislative body here to attempt to find out from the administrative body, which it created, the methods it uses in arriving at its final figures is certainly not a result to be impugned by either side of this House.

If these figures which these three men arrive at are of the most importance to every school district in our Commonwealth, surely we do not stand here and argue—and we are leaving all personalities out of this—that for the people or for this body to find out how this State Tax Equalization Board arrived at its conclusions, and how this money is dispersed throughout the state is an improper purpose. Anything that we use to arrive at this end is certainly for a good purpose.

No one here, I believe, intended to impugn any of these individuals personally, and that is why I said that I think some on the other side protest too much.

When we have, as I said, a three-man board to disperse several hundred million dollars of the taxpayers' money, it is not only our right but our duty to see, and that the public has a right to find out, how this money is dispersed. I think we have become entirely too overheated over the personality picture this afternoon.

PERMISSION TO ADDRESS HOUSE

Mr. FOERSTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I was over in the other Chamber until the early hours of the morning yesterday, when I witnessed one of the most shocking things that has ever happened to me in my short lifetime. Yesterday it kept gnawing away at me and during caucus I sat down and typed out a little statement. After showing it to several of my counsels, they advised me not to give it, but after what has happened here today, I feel compelled to read the statement.

On December 16 at 3:30 a. m. our democratic way of life and our constitutional representative government in this Commonwealth suffered a severe blow. All the public servants serving our great Commonwealth also suffered a severe blow.

I am only a freshman in this House, but what took place in the early hours of the morning was the most disgraceful, dastardly, despicable action engineered by a group of small-minded, selfish men that I have ever witnessed.

Two of our public servants on the State Tax Equalization Board were publicly indicated for "suspicion" of wrongdoing. I repeat, the only charge made against these two men was "suspicion"—a very un-American word and not worthy of consideration by supposedly honorable men.

Mr. Speaker, I pray to Almighty God that I, or any Member of this House, will never have to stand on trial as these two fine public servants, Mr. McGlinchey and Mr. Garlock, had to stand on trial in the early hours of the morning—a trial constructed on one word "suspicion."

If public servants in our Commonwealth have to be fearful of their jobs and to be publicly indicted and disgraced on charges of "suspicion" of wrongdoing be-

cause they have done an honest job and the Republican party is fearful and angry at the results of an honest job, then I think it is time each and every Member of this House raises his voice on high in protest.

I do not think I would be performing the duties of my office if I did not speak out against such deceitful actions against the people of our Commonwealth. I ask that all Members of this House join me, individually and collectively, and raise their voices in protest, especially the Republican Members of this House, because it is your party that has committed this dastardly crime.

PERMISSION TO ADDRESS HOUSE

Mr. FRANK asked and obtained unanimous consent to address the House.

Mr. Speaker, for the last hour or hours and fifteen minutes we have seen many tempers flare up here. It proves one thing we have been here too long.

Mr. ANDREWS. Mr. Speaker, I call for the order of the day.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1616.

An Act providing for the creation of a commission Joint State Government Commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith the appointment of an advisory committee in connection therewith and making an appropriation.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out after the word "the" the words "creation of a commission" and inserting in lieu thereof the words "Joint State Government Commission"; line 4, by inserting after the word "therewith" the following: "The appointment of an advisory committee in connection therewith."

Section 1, page 2, line 1, by striking out after the numeral "1" the following: "The state and local welfare commission shall consist of the State Board of Public Welfare two members of the standing committee of each House of the General Assembly to which welfare bills are referred who shall be appointed respectively by the president pro tempore of the Senate and by the speaker of the House provided that the two major political parties shall be equally represented by the persons so selected from each house five local public welfare officials appointed by the Governor provided that not all of them shall be members of the same political party the chairman of the state board of public welfare shall be chairman of the state and local welfare commission." line 11, by striking out after the letter "(A)" the word "Commission" and inserting in lieu thereof the words "Joint State Government Commission"; line 18, by inserting after the word "Assembly" the following: "(B) To assist the Joint State Government Commission in this work there is hereby created a State and Local Welfare Advisory Committee which shall consist of the members of the State Board of Public Welfare and five (5) local

public welfare officials appointed by the Governor provided that not all of these officials shall be members of the same political party the chairman of the State Board of Public Welfare shall be chairman of the Advisory Committee.

Section 2, page 3, line 11, by striking out after the numeral "2" the following: "At the request of the commission the Department of Public Welfare is empowered to employ an executive director clerical assistants and part time consultants as needed."

and inserting in lieu thereof the following: "The commission is empowered to employ such additional professional technical and clerical staff as may be necessary for the purposes of this act."

Section 3, page 3, line 18, by striking out after the word "the" the word "Commission" and inserting in lieu thereof the words "Advisory Committee"; Section 4, page 4, line 6, by striking out after the word "the" the words "Department of Public Welfare" and inserting in lieu thereof the words "Joint State Government Commission."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 297.

An Act amending section 650 act of June 24, 1939 (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by changing the penalties relating to pawnbrokers dealing with minors under the age of twenty-one years.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line one by striking out at the beginning of the line the word "Repealing" and inserting in lieu thereof the word "Amending"; line 3 by inserting after the word "Commonwealth" the words by changing the penalties; line 4 by inserting after the word "minors" the words "under the age of twenty-one years."

Amend Section 1, page 2, line 2, by striking out after the word "is" the word "repealed" and inserting in lieu thereof the following: "amended to read."

"Section 650. Pawnbrokers dealing with minors.

"Whoever being a pawnbroker or the employee of a pawnbroker makes any loan or advances or permits to be made any loan or advance to any minor under the age of [sixteen (16)] twenty-one (21) years or in any manner receives directly or indirectly any goods chattels wares or merchandise from any minor under the age of [sixteen (16)] twenty-one (21) years in pledge for loans made or to be made to such minor or whoever acts as an intermediary between any pawnbroker or the employee of a pawnbroker to effect any loan the benefit of which shall accrue to any minor under the age of [sixteen (16)] years shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than five dollars (\$5) nor more than twenty-five dollars (\$25)

for each offense or in case of nonpayment of] [such fine within forty-eight (48) hours to undergo imprisonment for a period not exceeding five (5) days] twenty-one (21) years shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000) or undergo imprisonment not exceeding one (1) year or both."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—149

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Agnew, | Garlock, | Machmer, | Sakulsky, |
| Anderson, | Gelfand, | Mahan, | Scarcell, |
| Arlene, | Goldstein, M. H., | Markley, | Schaaf, |
| Ashton, | Goodrich, | Meholchick, | Schwartz, |
| Balthaser, | Gramlich, | Mihm, | Seltzer, |
| Barton, | Guthrie, | Miller, B. Z., | Sherman, |
| Bell, | Hamilton, | Miller, H. G., | Shupnik, |
| Bonner, | Helm, | Mills, | Snider, |
| Bower, | Henzel, | Muldowney, | Stank, |
| Bowman, | Hocker, | Munley, | Steckel, |
| Branca, | Holliday, | Murphy, A. J., Jr., | Stewart, |
| Breth, | Horst, | Murray, H. P., | Stimmel, |
| Buchanan, | Irlis, | Murray, J. J., | Stone, |
| Burns, | Isaacs, | Musto, | Stoner, |
| Capano, | Jim, | Needham, | Stroup, |
| Cianfrani, | Johnson, A. W., | Nelson, | Sullivan, |
| Cioffi, | Johnson, R., | O'Donnell, J. A., | Taylor, |
| Comer, | Jones, F. R., | O'Donnell, J. P., | Thompson, |
| Curwood, | Kamyk, | Odorisio, | Tompkins, |
| Davis, | Kee, | Ogilvie, | Trusio, |
| Dennison, | Kelser, | O'Neil, | Varallo, |
| Devlin, | Kernaghan, | Parlante, | Varnier, |
| Dougherty, | Kessler, | Pashley, | Verona, |
| Edwards, | Knecht, | Perry, H. H., | Wall, |
| Eshback, | Kooker, | Petrosky, | Walsh, |
| Eshleman, | Kovolenko, | Polaski, | Wargo, |
| Farabaugh, | Kubitsky, | Polen, | Weidner, |
| Fetterolf, | Lamb, | Prendergast, | Welsh, |
| Filo, | Lee, A. M., | Price, | Wescott, |
| Fineman, | Lee, K. B., | Pursley, | Williams, A. D., Jr., |
| Floyd, | Light, | Reibman, | Williams, E. S., |
| Flynn, | Limper, | Renwick, | Wood, |
| Foerster, | Lopresti, | Rigby, | Wynd, |
| Frank, | Luigard, | Riley, | Yatron, |
| Frascella, | McCandless, | Rovasek, | Yetter, |
| Fulmer, | McCann, | Royer, | |
| Gailey, | McDonald, | Rudisill, | |
| Gallagher, | McLaughlin, | | Andrews, |
| | | | Speaker |

NAYS—1

Worley.

NOT VOTING—60

| | | | |
|-------------|-------------------|----------------|---------------|
| Auker, | Ellberg, | Leonard, | O'Dell, |
| Blair, | Ewing, | Lippincott, | Perry, P. E., |
| Boies, | Fox, | Lutty, | Reldenbach, |
| Boris, | George, | McCormack, | Schuster, |
| Brenninger, | Gibb, | McInroy, | Silverman, |
| Brown, | Goldstein, J. H., | McKeever, | Snare, |
| Capitolo, | Haudenschild, | Magee, | Stevens, |
| Clarke, | Heavey, | Maxwell, | Strausser, |
| Cooper, | Heffner, | Merry, | Ujobal, |
| Crossin, | Holt, | Monroe, | Wheeler, |
| Dengler, | Jenkins, | Moran, | Whittaker, |
| Dennis, | Jones, T. H. W., | Mullen, | Willard, |
| Donahue, | Jump, | Murphy, P. J., | Willaredt, |
| Donaldson, | Kornick, | Murray, P. G., | Wilt, |
| Down, | Korns, | Naugle, | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate be introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1043.

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of several stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" further providing for the giving of copies of notes of testimony in criminal cases.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER pro tempore. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 5 by striking out after the word "within" the following: "one year from the date of the verdict or at any time if such request is made by an agency of the Commonwealth or at any time if in the discretion of the court such request should be granted" and inserting in lieu thereof the following: "the time allowed for filing motions and reasons for new trial."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed

that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1971, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1971

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House, Messrs. DOUGHERTY, KAMYK and RIGBY.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2170

Mr. HAMILTON. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2170.

The SPEAKER. The report will lie over for printing under the Rules.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1675

Mr. STONE. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1675.

The SPEAKER. The report will lie over for printing under the Rules.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CON- CURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1195, entitled:

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death imposing additional taxes to equal Federal Estate Tax Credits defining and taxing certain transfers made in contemplation of death or to take effect in possession or enjoyment at or after death defining as a transfer and taxing the right of survivorship in certain property as to which such right exists defining and exempting from tax transfers to certain persons or for certain purposes or of certain property providing for the valuation of property and interests in property the transfer of which is subject to tax defining and allowing deductions from the value of property the transfer of which is subject to tax providing for the persons ultimately liable for taxes in the absence of a direction by a decedent to the contrary providing for the reporting of transfers and collection of taxes imposing penalties upon banks or other financial institutions for failure to give notice to the Department of Revenue of the death of a party to a joint or trust deposit therein and upon

persons who fail to file tax returns and documents providing for the compromise of taxes in the case of alleged non-residents of the Commonwealth making it unlawful for any person to make a false return or report providing for liens upon real property the transfer of which is subject to tax and release thereof authorizing the Secretary of Revenue to bring suits in other jurisdictions for the collection of taxes and authorizing officials of other jurisdictions to bring suits in the Commonwealth for the collection of death taxes imposed by their jurisdictions providing for the refund of taxes to which the Commonwealth is not rightfully or equitably entitled providing for appeals and protests from the imposition of taxes dealing with the jurisdiction powers and procedure of the orphans' court Secretary of Revenue Department of Revenue Attorney General and register of wills in matters relating to taxes and citing certain acts for repeal.

And has appointed Messrs. Elliot, Scott and Mullin a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the difference between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CON- CURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1344, entitled:

An Act amending the act of July 17, 1957 (P. L. 984), entitled "An act requiring that notice of any prior or contemporaneous severance of coal or the right of surface support from the surface be set forth in a certain manner in every deed agreement of sale title insurance policy or other instrument in writing which sells conveys transfers releases quitclaims or agrees to sell convey transfer release or quitclaim or insures or agrees to insure title to the surface of land and providing for the effect upon the vendor grantor transferor releasor or person who quitclaims or insures title or agrees to do any of the foregoing for noncompliance therewith" limiting the provisions of the act to transactions with respect to the surface of land under which there is coal and further regulating the notice required to be given.

And has appointed Messrs. Scott, Kromer and Mahady a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CON- CURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1355, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code" prohibiting the reduction of a charge of larceny to a charge of shoplifting and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and.

And has appointed Messrs. Ehrgood, Shafer and Mullin a committee of conference to confer with a similar

committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1977, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto.

And has appointed Messrs. Whalley, Shafer and Mahady a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2150, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence due to underground mining of Coal.

And has appointed Messrs. Flack, Wagner and Mahady a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2170, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers authorizing the Department of Health to enforce rules and regulations of the Commission as provided in this act establishing Regional Air Pollution Control Associations and defining their powers reserving powers to local political subdivisions and defining the relationship between this act and the ordinances resolutions and regulations of counties cities boroughs towns and townships imposing penalties for violation of this act and providing for the power to enjoin violations of

this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor.

And has appointed Messrs. Fleming, Watkins and Rupp a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2192, entitled:

An Act amending the act of May 21, 1943 (P. L. 469) entitled "An act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups" extending its provisions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

And has appointed Messrs. Elliott, Walker and McCreesh a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2193, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" extending the provisions relating to trespassing on grounds of State institutions to The Pennsylvania State University State Teachers' Colleges and universities receiving State aid.

And has appointed Messrs. Elliott, Walker and McCreesh a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2431, entitled:

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employes' Retirement Code of 1949" further providing for credit for time spent by an employe of the Commonwealth as an employe of the United States Government.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2431.

An Act amending the act of June 1, 1959 (Act No. 78) entitled "State Employes' Retirement Code of 1959" further providing for credit for time spent by an employe of the Commonwealth as an employe of the United States Government.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE RECEDES FROM AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has receded from its amendments, non-concurred in by the House of Representatives, to House Bill No. 2361, entitled:

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employes' Retirement Code of 1959" further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2361.

An Act amending the act of June 1, 1959 (Act No. 77) entitled "Public School Employes' Retirement Code of 1959" further providing for disability allowances in the event a disability annuitant is able to engage in gainful occupation making technical changes and clarifying language.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON
HOUSE BILL No. 2368

The Clerk of the Senate being introduced, informed that the Senate receded from its nonconcurrence in the amendments made and insisted upon by the House of Representatives to House Bill No. 2368, entitled:

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2368.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 762

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 762.

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1735.

An Act amending "The Administrative Code of 1929" approved April 1, 1929 (P. L. 177) adding to the Department of Mines and Mineral Industries the Oil and Gas Inspectors Examining Board.

HOUSE BILL No. 1740.

An Act providing for creation of an Oil and Gas Inspectors Examining Board in the Department of Mines and Mineral Industries conferring powers and imposing duties on the board and conferring powers and imposing duties in connection therewith upon the Governor providing for the qualifications examination appointment term of office removal and salaries of Oil and Gas Inspectors and providing penalties.

HOUSE BILL No. 1909.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the provision relating to trapping by nonresidents.

HOUSE BILL No. 2400.

An Act amending the "State Highway Law" approved June 1, 1945 (P. L. 1242) requiring the Department of Highways to maintain receptacles for trash and litter along State Highways.

HOUSE BILL No. 2449.

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

With the information that the Senate has passed the same without amendment.

REPORT FROM COMMITTEE

Mr. BONNER from the Committee on Welfare, re-reported as committed, House Bill No. 2016, entitled:

An Act creating a Pennsylvania Youth Foundation providing for its membership prescribing its powers and duties and making an appropriation.

BILL ON THIRD READING

Mr. McCANN asked and obtained unanimous consent to call up House Bill No. 2016.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2016, entitled:

An Act creating a Pennsylvania Youth Foundation providing for its membership prescribing its powers and duties and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—147

| | | | |
|------------|-------------------|--------------------|----------------------|
| Agnew, | Garlock, | McLaughlin, | Scarcelli, |
| Anderson, | Geifand, | Machmer, | Schaa, |
| Arlene, | Goldstein, M. H., | Mahan, | Schwartz, |
| Ashton, | Goodrich, | Markley, | Seltzer, |
| Balthaser, | Gramlich, | Meholchick, | Sherman, |
| Barton, | Guthrie, | Mihm, | Shupnik, |
| Bell, | Hamilton, | Miller, B. Z., | Snider, |
| Bonner, | Helm, | Miller, H. G., | Stank, |
| Bower, | Henzel, | Mills, | Steckel, |
| Branca, | Hocker, | Muldowney, | Stewart, |
| Breth, | Holliday, | Murphy, A. J., Jr. | Stimmel, |
| Buchanan, | Horst, | Murray, H. P., | Stone, |
| Burns, | Irvins, | Murray, J. J., | Stoner, |
| Capano, | Isaacs, | Musto, | Stroup, |
| Cianfrani, | Jim, | Needham, | Sullivan, |
| Cioffi, | Johnson, A. W., | Nelson, | Taylor, |
| Comer, | Johnson, R., | O'Donnell, J. A., | Thompson, |
| Curwood, | Jones, F. R., | O'Donnell, J. P. | Tompkins, |
| Davis, | Kamyk, | Odorisio, | Trusio, |
| Dennison, | Kee, | Oglivie, | Varallo, |
| Devlin, | Kelser, | O'Neill, | Varnar, |
| Dougherty, | Kernaghan, | Parlante, | Verona, |
| Edwards, | Kessler, | Perry, H. H., | Wall, |
| Eshback, | Knecht, | Petrosky, | Walsh, |
| Eshleman, | Kooker, | Polaski, | Wargo, |
| Farabaugh, | Kovolenko, | Polen, | Weldner, |
| Fetterolf, | Kubitsky, | Prendergast, | Welsh, |
| Filo, | Lamb, | Price, | Wescott, |
| Fineman, | Lee, A. M., | Pursley, | Williams, A.D., Jr., |
| Floyd, | Lee, K. B., | Reibman, | Williams, E. S., |
| Flynn, | Light, | Renwick, | Wood, |
| Foerster, | Limper, | Rigby, | Worley, |
| Frank, | Lopresti, | Riley, | Wynd, |
| Frascella, | Luigard, | Rovansek, | Yatron, |
| Fulmer, | McCandless, | Royer, | Yetter, |
| Galley, | McCann, | Rudisall, | Andrews, |
| Gallagher, | McDonald, | Sakulsky, | Speaker |

NAYS—3

Bowman, Munley, Pashley,

NOT VOTING—60

| | | | |
|-------------|-------------------|----------------|---------------|
| Auker, | Ellberg, | Leonard, | O'Dell, |
| Blair, | Ewing, | Lippincott, | Perry, P. E., |
| Boies, | Fox, | Lutty, | Reidenbach, |
| Boris, | George, | McCormack, | Schuster, |
| Brenninger, | Gibb, | McInroy, | Silverman, |
| Brown, | Goldstein, J. H., | McKeever, | Snare, |
| Capitolo, | Haudenschild, | Magee, | Stevens, |
| Clarke, | Heavey, | Maxwell, | Strausser, |
| Cooper, | Heffner, | Merry, | Ujobal, |
| Crossin, | Holt, | Monroe, | Wheeler, |
| Dengler, | Jenkins, | Moran, | Whittaker, |
| Dennis, | Jones, T. H. W., | Mullen, | Willard, |
| Donahue, | Jump, | Murphy, P. J., | Willaredt, |
| Donaldson, | Kornick, | Murray, P. G., | Wilt, |
| Down, | Korns, | Naugle, | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. TOMPKINS and STROUP.

RESOLUTION No. 133.

In the House of Representatives, December 17, 1959.

Frank Cochran, a member of the State Tax Equalization Board, has said that he did not sign the 1958 Report of Real Estate Market Value filed and released June 30, 1959, and charges that his signature on said report is a "forgery".

Frank Cochran has stated that he did not see the report before it was released; and that he would not have signed it had he seen it; and that he "didn't know anything about it until it came out".

Said report is the basis upon which State subsidies are reimbursed to over 2,300 school districts in the Commonwealth of Pennsylvania.

These are grave and serious charges which cast reflection upon public officials and public employees; and in this instance, creates doubts and apprehension and casts suspicion upon the findings, reports and certifications of this Board, which in turn undermines confidence in the value of this Board as an agency to determine school subsidies, which can be detrimental to the entire program of public education in this Commonwealth; therefore, be it

Resolved, That a committee of five members of the House be appointed by the Speaker to investigate and report to the House:

1. The truth or falsity of the charges that the signature of Frank Cochran to the 1958 State Tax Equalization Report and Certification Real Estate Market Values filed and released June 30, 1959 is a forgery.

2. To determine the circumstances by which the signature of Frank Cochran is attached to said report.

3. To determine whether any of the information contained in said report would have been any different had the same been properly reviewed by Frank Cochran prior to the time of the submission and release of said report.

4. To determine whether any school district in this Commonwealth has suffered and will suffer as a result of this alleged forged report.

5. And such other matters which may be brought to the attention of the committee appertaining or germane thereto; and which should be brought to the attention of the General Assembly; and be it further

Resolved, That the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon

any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

Resolved, That the committee so appointed shall report back to the House of Representatives its findings and recommendations as soon as possible.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 136.

An Act to provide for an additional law judge of the court of common pleas in the nineteenth judicial district and making an appropriation.

SENATE BILL No. 298.

An Act making an appropriation out of the Fish Fund to the Pennsylvania Fish Commission for expenses of a modern engineering and biological survey.

SENATE BILL No. 727.

An Act to provide for additional law judges of the courts of common pleas in the seventh and the thirty-first judicial districts.

SENATE BILL No. 773

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" prohibiting the closing of schools or departments during the school term and providing for the payment of the salaries of professional employes in such cases.

SENATE BILL No. 794.

An Act to provide for an additional law judge of the court of common pleas in the fifteenth judicial district and making an appropriation.

SENATE BILL No. 1133.

An Act amending the act of August 21, 1953 (P. L. 1254) entitled "An act establishing a uniform fee for services of recorders of deeds in counties of the third fourth fifth sixth seventh and eighth classes" changing certain fees fixed by the act and establishing certain other fees.

SENATE BILL No. 1139.

An Act amending the act of December 5, 1936 (P. L. 2897) entitled "Unemployment Compensation Law" extending the time during which certain persons can make application to the Civil Service Commission.

SENATE BILL No. 1262.

An Act amending the act of May 23, 1956 (P. L. 1662) entitled "An act authorizing the Department of Property and Supplies to acquire by gift ninety-three acres more or less of land with buildings thereon in the City of Pittsburgh Allegheny County for maintenance by the Department of Health as a sanatorium or hospital for the reception and treatment of indigent persons affected with tuberculosis and making an appropriation" extending its provisions to all persons suffering or suspected of suffering from tuberculosis.

SENATE BILL No. 1265.

An Act amending the act of April 29, 1959 (P. L. 58)

entitled "The Vehicle Code" authorizing the use of warning devices on commercial motor vehicles when such vehicles are about to move backwards or are moving backwards.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. AGNEW asked and obtained unanimous consent to address the House.

Mr. Speaker, my presence in this House fooled me today. I walked in here and I listened to all the angry speeches and wild accusations and I thought for a minute I was in the State Senate.

Mr. Speaker, I introduced a discharge resolution two days ago on the Philadelphia Consolidation Bill. Slim as the hope of success as that resolution was, it was apparently the last hope that we had in this session to accomplish a much needed and much desired result in Philadelphia.

An editorial in the Philadelphia Inquirer, this morning's paper, Thursday, December 17th, is very interesting on this subject, and I would like to read it for the benefit of the Members of this House. Ordinarily I would offer this for the purpose of the record only but on the possibility that fellow Members of the majority from Philadelphia might overlook this editorial I would ask if they would tune in on my wave length and listen as I read the words of the editorial much in the manner of Mayor LaGuardia when he used to read the Sunday funnies to the kiddies in New York. The editorial is entitled "Democrats Knife Reform Bill" and I quote the editorial as follows:

"Philadelphia's Democratic Organization has enjoyed many triumphs in recent years. But its latest victory, staged on the floor of the House of Representatives, may turn out to be, in reality, a costly defeat.

The Democratic delegation in the House, which takes its orders from City Chairman Bill Green, was able in a showdown vote on Tuesday to kill off the proposed bill to complete city-county consolidation in Philadelphia.

The assassination was accomplished with the help of other Democratic Members by defeating a Republican motion to take the bill out of the hands of a committee which has kept it locked up since last February 9. The measure had been adopted by a unanimous vote of the State Senate. But when it was referred in the House to the Committee on first class cities and counties, it fell into the hands of the Philadelphia Democrats who control the committee, headed by a lieutenant of Bill Green, William Limper.

Limper has refused to call up the bill for committee action. The Republican attempt to discharge the committee from consideration of the bill was a last-ditch maneuver to save it from extinction. If no action is taken in the few remaining days left of the present session, the consolidation proposal cannot be considered again until 1961. The 1960 session will be restricted to appropriation and revenue raising laws.

The resurgence of the Democratic Party in Philadelphia has gone hand-in-hand with reform of the city government, with great stress placed by party and city Administration leaders upon the new City Charter and the elimination of the old county offices.

The bill which the Democratic Organization has blockaded at Harrisburg would complete the

work of consolidation by permitting Council to abolish, merge or integrate the remaining county departments of Sheriff, Board of Revision of Taxes, City Commissioners and Registration Commission.

The Democratic Party platform has indorsed the legislation and Mayor Dilworth made strenuous efforts earlier in the session to pry it loose from the committee.

In making itself responsible for the killing of consolidation, the Democratic Organization has opened itself to condemnation by the multitude of independent voters and civic organizations in Philadelphia favoring decent and efficient city government.

It will be hard for anyone to take in earnest future Democratic platform commitments to consolidation or other reform measures in this city in face of the action taken by Bill Green's followers at Harrisburg.

Keeping the four county departments functioning as they are will preserve juicy jobs for a number of politicians, mostly Democrats. The Democratic Organization apparently does not want to disturb those jobs, whether or not their abolishment would be in the interests of the city. So it runs away from its own platform, turns a deaf ear to Mayor Dilworth, repudiates its pledges—all to save some jobs for greedy politicians.

It is not a pleasant picture—and it is not one Philadelphia voters are likely to forget.

So ends the editorial and I conclude my remarks Mr. Speaker, by saying that I heard a rumor today that the Committee in question may bring this bill on the floor of the House on the last legislative day. I say that would be political chicanery and I remind the Chairman of the Committee that he can hold a Committee hearing today, and report that bill out on the floor of the House. We still have enough legislative days to pass that into law.

PERMISSION TO ADDRESS HOUSE

Mr. SCHAAF asked and obtained unanimous consent to address the House.

Mr. Speaker, on today, December the 17th, I would like to extend to each and every Member of this House my personal feeling that they have a very joyous Christmas and a prosperous New Year. And, since this is the spirit of giving, I want to express my personal thanks to the last speaker, the gentleman from Allegheny, Mr. Agnew, for his expression of the spirit of giving in giving to us—those of us particularly who cannot read—the benefit of what appeared in this morning's Philadelphia Inquirer.

This is not the season of dissension; on the contrary this is the season of peace and tranquility. I think, without criticism toward any Member here on either side of the House, that each one of us would do well to wish each other a very Merry Christmas.

PERMISSION TO ADDRESS HOUSE

Mr. NELSON asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to quote several short paragraphs from a newspaper that is somewhat less than a Democratic organ, the Evening News of Thursday, December 17th, an editorial entitled, "Was Bloom Discussing Issues or Telling a Funny Story?"

So we don't know whether Mr. Bloom, Pennsylvania's Republican Chairman, was discussing an issue or telling a funny story this week when he addressed 100 GOP fund-raisers at Philadelphia on what a terrible thing it'll be if the Democrats win in 1960. They'll gerrymander the Pennsylvania General Assembly, in such a way, said Mr. Bloom, that the Grand Old Party never could win again in Pennsylvania. (Gerrymandering aside, some folks already have their doubts about Pennsylvania's weary Republicans now that Dwight Eisenhower can't be on the ballot any more").

QUESTION OF PERSONAL PRIVILEGE

Mr. WORLEY. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WORLEY. Mr. Speaker, I voted against Senate Bill No. 297, Printer's No. 1659, because this bill did not appear on today's calendar when the vote was taken, and I object to such procedure. However, I have no objection to the merits of this bill.

The SPEAKER pro tempore. For the information of the gentleman it is not necessary for it to be printed on the calendar under the Rules of the House.

PERMISSION TO ADDRESS HOUSE

Mr. DOUGHERTY asked and obtained unanimous consent to address the House.

Mr. Speaker, I was amazed at Mr. Agnew's heart bleeding for Philadelphia. It has only been a few short months ago when, in the company of Mr. Agnew, when one of us was drinking lager beer, the other one does not, the one that was drinking the lager beer professed to me that he loved it. When I asked him for a vote for the people of Philadelphia for beer in the ball park he could not do it, he could not vote the people of Philadelphia beer in the ball park. His heart did not bleed for the Philadelphians that day; it sure has changed.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2150

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 2150.

The SPEAKER. The report will lie over for printing under the Rules.

BILL DROPPED FROM CALENDAR

Mr. McCANN. Mr. Speaker, I move that House Bill No. 2295, Printer's No. 2004, be dropped from the calendar. The motion was agreed to.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I have been asked to notify the Conference Committees that are working now and tonight that the Chief Clerk's office will be open during the night to receive the Conference Committee Reports so that they will go to the Printer during the night.

There are, I believe, four more committees that are still working and have meetings scheduled tonight. Should they complete their Conference Committee Report, the Legislative Reference Bureau, approves and completes their work, we ask that they bring it to the Chief Clerk's Office so that it will be taken to the printer during the night.

To the committees that have meetings scheduled tomorrow morning beginning at 10:00 a. m., we ask that should they have a Conference Committee Report, which I believe they will, that they present it to the House as soon as possible after being approved, because we will have to wait until its return from the Printer to vote on the Conference Committee Report.

Again I repeat, the Chief Clerk's office will be open, probably up until some time near midnight to receive your reports tonight.

The SPEAKER pro tempore. The Chair has also been informed that the Senate is going to meet beginning at 12:00 midnight therefore, those Members will be available, I suppose, for meetings tonight.

Mr. McCANN. That is right, Mr. Speaker. The Senate will go in, I believe, at 12:01 tonight, and then at some hour they will recess. We will go into Session at 10:00 and they will be running concurrently with us all day long working from midnight. We will begin at 10:00 a. m. We hope to finish up tomorrow evening at a decent hour.

I would like to state at this time that earlier when we were having the heated debate on the Tax Equalization Board and the gentleman from Cameron, Mr. Tompkins, presented the resolution, we have had available all during that time—I never got the floor back again—would the gentleman care if we delivered to him within the next five minutes the official records signed by Mr. Cochran so that the gentleman may glance with his own eyes at the signature of that member of that Board on the official records?

Mr. TOMPKINS. Mr. Speaker, I have no objection to doing such a thing, but we went so far afield this afternoon in some of our discussions that I think we missed the main point of our whole discussion.

There have been certain charges levelled in the Press, not by any Member of this House, but by a member of the Tax Equalization Board himself against other members of that same Board. Those charges are laying in the minds of the people as a result of that Press statement.

Certainly my looking at those records is not going to satisfy the people of Pennsylvania regarding what the situation is over there. No matter how I might feel about the thing, I do not know whether it is the gentleman's signature or not. So, we are in the position that we should look into this officially. Not just one Representative take a glance at some things, but we should look into it officially and if these people are vindicated in what they did, then they should be entitled to have that officially. If there is something else other than vindication, the people are entitled to know that. That was the entire point of what our discussion led up to this afternoon, and the purpose of my resolution. We are not trying to blame anybody, we blame nobody. The charges have been made by somebody else. Now that this is out in the open, in the Press and so forth, I think the House officially, not some Member of the House, should do something to clarify this situation.

I am perfectly willing to look at anything the gentle-

man has to show me, but I certainly am not going to give a statement of any kind vindicating, condemning or otherwise, until we get some basis upon which we can determine that.

The SPEAKER pro tempore. The Chair would like to announce, before we take up one other item, the Speaker has informed the Chair that he will insist and demand the presence of a quorum tomorrow morning at 10:00 o'clock, before any business of this House is conducted.

QUESTION OF PERSONAL PRIVILEGE

Mr. BUCHANAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BUCHANAN. Mr. Speaker, on November 19th, this House passed House Bill No. 866 by a vote of 184 to 6. This bill changes the titles of the State Teachers' Colleges to State Colleges. Since then a number of people have asked me, would this bill if it is enacted into law automatically change a title in the School Code as in all other laws of the Commonwealth?

Today I have received a letter from the Legislative Reference Bureau which definitely states that if this bill is enacted into law, the title State Teachers' Colleges will be changed in all laws of the Commonwealth.

At this time I want to submit a copy of this letter for the Legislative Journal.

LEGISLATIVE REFERENCE BUREAU HARRISBURG, PA.

December 17, 1959.

Hon. William G. Buchanan
House of Representatives
Harrisburg, Pennsylvania
Dear Mr. Buchanan:

House Bill No. 866, Printer's No. 1974, is an amendment to "The Administrative Code of 1929" which changes the names of State Teachers' Colleges to State Colleges.

You have asked whether or not this bill will accomplish its purpose inasmuch as other laws, particularly the "Public School Code of 1949," carry the designation State Teachers' College and those laws will remain unchanged.

It is our opinion that the bill will accomplish its purpose and that the names of the State Teachers' Colleges will be changed to State Colleges.

Every act of the General Assembly has the effect of repealing all prior laws which are inconsistent with its provisions. If this bill were to become law, then it would repeal all prior laws to the extent of any inconsistency and such provisions in prior laws will be no longer effective.

Sincerely yours,

(S) DAVID G. WELTY

ADJOURNMENT

Mr. POLASKI. Mr. Speaker, I move that this House do now adjourn until Friday, December 18, 1959 at 10:00 a.m. EST.

The motion was agreed to, and (at 5:59 p.m. EST) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., FRIDAY, DECEMBER 18, 1959.

No. 126.

SENATE

FRIDAY, December 18, 1959.

The Senate met at 12:02 o'clock a.m.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

May we all unite in that prayer which we were taught in childhood?

"Our Father which art in heaven, Hallowed be Thy name.

"Thy kingdom come. Thy will be done on earth, as it is in heaven.

"Give us this day our daily bread.

"And forgive us our debts, as we forgive our debtors.

"And lead us not into temptation, but deliver us from evil: For Thine is the kingdom, and the power, and the glory, forever. Amen."

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. TAYLOR, further reading was dispensed with, and the Journal was approved.

CALENDAR

BILL ON FINAL PASSAGE

HB 634 CALLED UP

HB 634—Without objection, the bill was called up by Mr. BERGER.

Upon motion of Mr. BERGER, seconded by Mr. TAYLOR, and agreed to, the bill was dropped from the Calendar.

REVENUE BILL ON THIRD READING

SB 1112 CALLED UP

SB 1112—Without objection, the bill was called up by Mr. BERGER.

Upon motion of Mr. BERGER, seconded by Mr. TAYLOR, and agreed to, the bill was dropped from the Calendar.

BILLS ON THIRD READING

SB 1256 CALLED UP

SB 1256—Without objection, the bill was called up by Mr. BERGER.

Upon motion of Mr. BERGER, seconded by Mr. TAYLOR, and agreed to, the bill was dropped from the Calendar.

SB 1257 CALLED UP

SB 1257—Without objection, the bill was called up by Mr. BERGER.

Upon motion of Mr. BERGER, seconded by Mr. TAYLOR, and agreed to, the bill was dropped from the Calendar.

HB 866 CALLED UP

HB 866—Without objection, the bill was called up by Mr. BERGER.

HB 866—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Thrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 927 CALLED UP

HB 927—Without objection, the bill was called up by Mr. BERGER.

HB 927—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1584 CALLED UP

HB 1584—Without objection, the bill was called up by Mr. BERGER.

HB 1584—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Hays, | McMenamin, | Silvert, | Fleming, |
| Harney, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1851 CALLED UP

HB 1851—Without objection, the bill was called up by Mr. BERGER.

HB 1851—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |

| | | | |
|----------|------------|----------|-------------------|
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 1852 CALLED UP

HB 1852—Without objection, the bill was called up by Mr. BERGER.

HB 1852—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2048 CALLED UP

HB 2048—Without objection, the bill was called up by Mr. BERGER.

HB 2048—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2323 CALLED UP

HB 2323—Without objection the bill was called up by Mr. BERGER.

HB 2323—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Chapman, | Koprivier, Jr. | Proppert, | Wade, |
| Camiel, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 2463 CALLED UP

HB 2463—Without objection, the bill was called up by Mr. BERGER.

HB 2463—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Lane, | Mullin, | Stiefel, |
| Berger, | Kalman, | Murray, | Taylor, |
| Blass, | Keller, | Pechan, | Van Sant, |
| Camiel, | Kessler, | Proppert, | Wade, |
| Chapman, | Koprivier, Jr. | Ripp, | Wagner, |
| Confair, | Kromer, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

HB 1380 CALLED UP

HB 1380—Without objection, the bill was called up by Mr. BERGER.

HB 1380—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 2016 CALLED UP

HB 2016—Without objection, the bill was called up by Mr. BERGER.

HB 2016—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

HB 2286 CALLED UP

HB 2286—Without objection, the bill was called up by Mr. BERGER.

HB 2286—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

RECONSIDERATION OF HB 866

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which **HB 866** passed finally at today's Session.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. SHAFER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SHAFER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. SHAFER. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. SHAFER. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that this bill be placed on the Third Reading Calendar.

The PRESIDING OFFICER. There being no objection, House Bill No. 866 will be placed on the Third Reading Calendar.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, the series of resolutions I am about to offer deal with insurance bills which were prepared and introduced earlier in this Session, passed the House and have been in committees here for some time. They deal primarily with domestic mutual life insurance companies. Since the advent of multiple line

writing in 1949, domestic mutual fire insurance companies have been writing casualty insurance in other lines. They have grown large and the reason which once existed, which justified special treatment of them because they were domestic companies, has since passed. The problems which they had, causing them to be nurtured and kept in a certain position, no longer exist.

These bills would make them subject to the type of regulations which everyone agrees is healthy and needed for all other companies, and which other insurance companies are now subject to. The Department of Insurance has found many inequities and potentially dangerous situations which it feels can be avoided by the passage of these bills.

House Bill No. 1465 would make the rates of credit life insurance companies subject to regulation by the Department of Insurance. These companies are operating under conditions where the normal force of compensation, which keeps rates reasonable and low, does not exist. They force people to pay a great deal more for insurance than they would normally have to pay under the regular rates, if they were able to afford them or able to go out and obtain this type of money.

In order to keep our insurance community healthy and to allow the people of this Commonwealth to buy the insurance which they need, I feel that these regulations, or walls that have been built around these companies, should be removed. Not only should they be in competition or be left at the level that the rest of our insurance companies are on, but I also think that the light of day should strike them in order for all of us to see what they are, how they operate and whether they behave in the manner in which we want them to.

For that reason, Mr. President, I ask that these resolutions be considered and ask for their immediate adoption.

DISCHARGE RESOLUTIONS

TO DISCHARGE COMMITTEE ON INSURANCE FROM FURTHER CONSIDERATION OF **HB 1415**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 18, 1959.

Resolved, that House Bill No. 1415, entitled "An Act amending 'The Insurance Department Act of one thousand nine hundred and twenty-one' approved May 21, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies, and prescribing penalties" having been referred to the Committee on Insurance on July 27, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

TO DISCHARGE COMMITTEE ON INSURANCE FROM FURTHER CONSIDERATION OF **HB 1416**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 18, 1959.

Resolved, That House Bill No. 1416, entitled "An Act amending 'The Insurance Company Law of 1921' approved May 17, 1921 (P. L. 682), requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents" having been referred to the Committee on Insurance on July 27, 1959, and the Committee not having reported the same to the Senate for a period

of over ten days, the Committee is discharged from further consideration thereof.

TO DISCHARGE COMMITTEE ON INSURANCE FROM FURTHER CONSIDERATION OF **HB 1464**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 18, 1959.

Resolved, That House Bill No. 1464, entitled "An Act amending 'The Insurance Company Law of 1921,' approved May 17, 1921 (P. L. 682), prohibiting, in certain cases, domestic insurers from insuring the lives or persons of residents of, or property or operation located in, states in which such insurers are not authorized to do business," having been referred to the Committee on Insurance on August 5, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

TO DISCHARGE COMMITTEE ON INSURANCE FROM FURTHER CONSIDERATION OF **HB 1465**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 18, 1959.

Resolved, That House Bill No. 1465, entitled "An Act providing for the regulation of credit life insurance and credit accident and health insurance; conferring powers and imposing duties on the Insurance Commissioner; and prescribing penalties," having been referred to the Committee on Insurance on August 5, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

TO DISCHARGE COMMITTEE ON INSURANCE FROM FURTHER CONSIDERATION OF **HB 1466**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 18, 1959.

Resolved, That House Bill No. 1466, entitled "An Act amending 'The Insurance Company Law of 1921,' approved May 17, 1921 (P. L. 682) subjecting domestic mutual fire insurance companies to the provisions thereof, requiring approval of policies, contracts or certificates of insurance by the Insurance Commissioner," having been referred to the Committee on Insurance on July 27, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

TO DISCHARGE COMMITTEE ON INSURANCE FROM FURTHER CONSIDERATION OF **HB 1467**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, December 18, 1959.

Resolved, That House Bill No. 1467, entitled "An Act reenacting and amending 'The Fire Marine and Inland Marine Rate Regulatory Act,' approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act, and providing for a uniform classification of accounts and records," having been referred to the Committee on Insurance on August 5, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolutions?

Mr. WADE. Mr. President, on the adoption of this series of resolutions introduced by the gentleman from Philadelphia, I object to the immediate consideration of these resolutions.

The series of resolutions, as the gentleman has so carefully explained, is intended to release bills to the floor, and would penalize the little fellow in the business. The birthplace of the great industry, known as insurance, was in the small mutual companies.

Many times, I have heard, from the other side, allegations that they purport to be for the little fellow. Mr. President, here this evening we find the real truth. The gentleman purports and advocates the passage of resolutions which would penalize and, in many cases, put out of business these small companies that have rendered a great service to the people of America over many years. Tonight, Mr. President, the gentleman reveals his true hand. Apparently, or at least, the gentleman advocates the million dollar, the billion dollar or the multibillion dollar great companies. He would legislate out of the picture the little companies which are serving the farmers, the people in the small boroughs and hamlets and, as well, the people in the cities throughout Pennsylvania and throughout America.

Mr. President, I say again that we on this side of the aisle represent the little fellow and will protect his interests. We have voted for him and we have stood by him through this long, eleven and one-half months Session. At this late date, we do not propose to change our position and vote for the Minority Leader, from Philadelphia, who represents the billion dollar companies in Pennsylvania.

Mr. MAHADY. Mr. President, I would like to say a few words on House Bill No. 1465, the bill dealing with the regulation of credit life insurance companies. This bill does have to do with the protection of the little fellow. Credit life insurance is something that has been abused. The rates vary and, in some places, you can get the same coverage in one place for twenty-five cents as you have to pay \$2.25 for in other loan establishments.

The gimmick there is that many of the large companies pay their managers a pittance and give him a remittance in the form of splitting the commissions with him, fifty-fifty. Some managers make from \$10,000 to \$15,000 a year on the premiums gouged out of the little man.

This bill, alone, is an example of what is being attempted to be done. I say to you that you should vote for the discharge of the bill regulating credit life insurance companies which do affect the small man.

Mr. WADE. Mr. President, because we are nearing the adjournment of the Session, I will not object to the immediate consideration of these resolutions.

And the question recurring,

Will the Senate adopt the resolutions?

A voice vote having been taken, the question was determined in the negative, and the resolutions were defeated.

BILL ON THIRD READING

HB 1142 CALLED UP

HB 1142—Without objection, the bill was called up by Mr. BERGER.

HB 1142—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mallery, | Sarra, | Watkins, |
| Ehrgood, | McCreesh, | Scott, | Weiner, |
| Elliott, | McGinnis, | Seyler, | Whalley, |
| Flack, | McMenamin, | Shafer, | Wolfe, |
| Harney, | Miller, | Silvert, | Fleming, |
| | | | Presiding Officer |

NAYS—2

Hays, Mahady,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDING OFFICER. At this time, the Chair turns the gavel over to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **HB 506, 1121, 1122, 1207, 1639, 1927, 2108 and 2268.**

The PRESIDENT pro tempore. The Chair now returns the gavel to the gentleman from Allegheny, Mr. Fleming, to preside.

The PRESIDING OFFICER (Robert D. Fleming) in the Chair.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 10:00 o'clock a.m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 10:00 o'clock a.m.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

CALENDAR

REPORTS OF COMMITTEES OF CONFERENCE

SB 785—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference in SB 785, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payment by the Commonwealth to school districts.

Mr. SCOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SB 882—Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **SB 882**, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

Mr. MALLERY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mallery, | Sarraf, | Watkins, |
| Ehrgood, | McCreesh, | Scott, | Weiner, |
| Elliott, | McGinnis, | Seyler, | Whalley, |
| Flack, | McMenamin, | Shafer, | Wolfe, |
| Harney, | Miller, | Silvert, | Fleming, |
| Hays, | | | Presiding Officer |

NAYS—1

Mahady.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

THIRD READING CALENDAR

BILL ON THIRD READING, RECALLED FROM THE GOVERNOR

SB 1250—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

HB 63—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Miller, | Stevenson, |
| Berger, | Keller, | Mullin, | Stiefel, |
| Blass, | Kessler, | Murray, | Taylor, |
| Camel, | Koprivier, Jr. | Pechan, | Van Sant, |
| Chapman, | Kromer, | Propert, | Wade, |
| Confair, | Lane, | Ripp, | Wagner, |
| DiSilvestro, | Madigan, | Rooney, | Walker, |
| Donolow, | Mahady, | Ruth, | Watkins, |
| Ehrgood, | Mallery, | Sarraf, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Harney, | McGinnis, | Shafer, | Wolfe, |
| Hays, | McMenamin, | Silvert, | Fleming, |
| | | | Presiding Officer |

NAYS—2

Elliott, Scott,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 203—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camel, | Koprivier, Jr. | Pechan, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| DiSilvestro, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliot, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| | | | Presiding Officer |

NAYS—0

Kessler Proport,

NAYS—2

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 648—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would just like to point out to the Members of the Senate the large scope this bill encompassess. I think they should give the bill some careful consideration. I do not have strong feelings about this matter, myself. However, I think some of the gentlemen here, who may not have anything to do with this type of matter or deal very much in the matter of law, might be interested in knowing how far this bill goes.

This bill allows, in a single action, the handling of a property settlement by the parties involved, as well as the handling of the custody of children and taking care of any kind of settlements the parties might have between themselves. We do not have alimony in this State. However, it also might deal with setting up an agreement whereby the wife could receive money for the child and perhaps encompass herself in the over-all settlement. This would also bring together matters that are now before the family court, where there might be some possibility that this matter could be worked out, rather than a divorce action being entered into by the parties.

I think this is a little bit far-reaching. I just do not think our courts at the moment are equipped to handle this type of a matter, because what you are saying to the judge is that you would like him to act as a chancellor in this matter and sit in an equity sense, and decide all of the matters that exist between these parties in a single action. On its face, that seems like a good thing. However, I am not so sure, when you get down to the very practicalities of the situation, whether someone sitting objectively, who does not know the vast difference between the parties and all of the heat that might be engendered by people who have fallen out, or no longer feel as friendly toward each other as they did before, and deciding the custody of the children, is a good thing. It is a very important thing. In our courts and in our law, the welfare of the child is the predominating influence.

For that reason, I feel that I would like to vote against this measure, even though on it face—and I have never had any strong feeling about it—it may seem right. I think it just goes a little bit too far in what it is trying to do. I do not think that our courts are equipped or ready to handle this matter outside of the family court situation or the judge hearing these separate matters.

Mr. BERGER. Mr. President, I certainly respect the attitude of the Minority Leader in connection with this bill, and his reasons for opposing it. However, all I want to say about it is that it is a part of the result of a long study made by the task force of the Joint State Government Commission, upon which were represented a number of judges from Philadelphia and, I believe, the Chancellor of the Bar Association, very prominent members of the bar, practitioners in both Allegheny County and Philadelphia and judges from other counties, and their recommendations were far more comprehensive than are embodied in this particular piece of legislation, which is only a part of their report.

The only difference between this bill and the recommendations that were made by that task force is found in the discretion of the hearing judge. In the original recommendation, the task force requested that the decree in divorce must comprehend all of the things that the Minority Leader said may not be desirable; Such as, the custody, the disposition of property and property settlements and everything which is now done under the jurisdiction of the Courts of Common Pleas and Quarter Sessions and, in Philadelphia and Allegheny Counties, the County and Municipal Courts.

It was our thought that rather than make it mandatory upon the court to embody in its decree the disposition of those matters, it should be discretionary because it is well known that in most divorce cases the matter of children arises, and the court hearing the case does not have the jurisdiction to dispose of that subject in its decree of divorce. This will give the court the right to hear testimony and decide that matter upon petition of the parties and upon the approval of the court to so do. In that respect, Mr. President, I believe it is a very desirable piece of legislation and one which should expedite the disposition of these cases before our courts.

Mr. WEINER. Mr. President, it is not my desire to engage in a long debate on this matter. However, in these matters where you are dealing with people's emotions, and where people really do not have an opportunity to think very coldly about these things, sometimes, as I have found in my limited experience in the practice of law, there is a cooling off period by the fact that people sometimes have long waits before they go before a court or a judge to hear this matter, and sometimes the matter does not seem as imminent two or three weeks later as it did at the very moment when the suit was instituted or when the parties started having their problems.

As the Majority Leader said, and I must concur in his opinion, there are some good features to this bill and there are some very desirable features. I do not doubt that many people feel very strongly about this measure and feel that it is a good measure. However, by the same token, we are enlarging the scope. I have great regard for the task force, but I think sometimes the practicalities of a situation might be lost, and sometimes the members of the task force might not have had the same ex-

perience, or have had limited experience in this field, and perhaps the decision they are making on an over-all picture and on the face of it seems to be a good one, but it may not be workable.

As I said, I have no strong feeling in either direction about this bill. I just wanted to point out to the Members of the Senate how far it went, and ask whether we are willing, at this time, to go that far.

Mr. MAHADY. Mr. President, I think the scope of the court's ability to cope with this was satisfied by the amendment, which put "may" into the bill. It allowed the court to adjust itself to this period of expansion.

However, the bill is aimed primarily, so the divorce lawyers in my office say, at the fact that you had a record for a divorce which alleged one thing about a gentleman and proved it. Then on the custody proceeding, you had a whole new set of witnesses who canonized the person involved in the divorce proceedings. Then on the question of support, you had to bring in a whole new set of witnesses, and you had a completely different angle on the matter.

There are some people who say this will cut down the work of the lawyer. Yes, it will. However, the work of the lawyer is secondary to the welfare of the family as a whole.

If a person has secured a divorce on the grounds of adultery and it was not defended, but they come in later and say, "I did not commit adultery and I am entitled to the children," then certainly we are making a travesty of the law. This is a sound piece of legislation, geared to a gentle and a complete consideration of all of the family matters. We may eventually wind up with a family court, as three of our jurisdictions have at the present time.

Mr. WEINER. Mr. President, just to prove to the people at large that the Senators in this Chamber are persuasive, I believe I would like to vote "aye" on this bill and be so recorded.

The PRESIDING OFFICER. Everything happens if we wait long enough.

Mr. BERGER. Mr. President, if my vote should not be audible, it is because I have lost my voice. This is a surprise.

And the question recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 853—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 866—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 1108—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliot, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1380—Without objection, the bill was passed over in its order temporarily at the request of Mr. BERGER.

ANNOUNCEMENT BY THE CHAIR

The PRESIDING OFFICER. The Chair would like to announce, for the information of the Senate, that House Bill No. 2016, on page 3, and House Bill No. 2286, on page 4 of today's Third Reading Calendar, were passed earlier today on Second Reading. They inadvertently appear on this Calendar. They cannot be voted on today and, therefore, they will appear on Monday's Calendar.

BILLS ON THIRD READING

HB 2117—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2118— Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler, | Pechan, | Van Sant, |
| Camiel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2119—Read at length the third time and agreed to, On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2139—Read at length the third time and agreed to, On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

| | | | |
|--------------|-----------|------------|---------|
| Berger, | Hays, | McGinnis, | Seyler, |
| Camiel, | Kalman, | McMenamin, | Taylor, |
| Chapman, | Kessler, | Mullin, | Wade, |
| Confair, | Lane, | Murray, | Wagner, |
| DiSilvestro, | Mahady, | Ruth, | Walker, |
| Donolow, | McCreesh, | Scott, | |

NAYS—15

| | | | |
|----------------|----------|------------|-------------------|
| Ehrgood, | Madigan, | Stevenson, | Whalley, |
| Elliott, | Mallery, | Van Sant, | Wolfe, |
| Harney, | Propert, | Watkins, | Fleming, |
| Koprivier, Jr. | Ripp, | Weiner, | Presiding Officer |

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

HB 2386—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President, I rise to a point of information.

The PRESIDING OFFICER. The gentleman from Washington, Mr. Lane, will state it.

Mr. LANE. Mr. President, what bill are we discussing?

The PRESIDING OFFICER. House Bill No. 2386.

Mr. LANE. The General State Authority Bill?

The PRESIDING OFFICER. That is correct, sir.

Mr. LANE. Mr. President and Members of the Senate, I have reviewed this General State Authority Bill in detail. I have observed that the conferees have deleted the improvements which were supposed to have been made at Mayview State Hospital; specifically, the renovation of the general hospital building.

I might say to the membership that I feel this is a mistake because this certainly would have been an economical move. The General hospital building is the old

General Hospital of Allegheny County, which is on Mayview property. During some spare time that I had, I made a complete inspection of Mayview and several of the other mental institutions. It was my understanding that Doctor Downey, Superintendent at Mayview, had cleared this with the Bureau of Mental Health. I thought that the Appropriations Committee had all of the details with regard to Mayview.

What is happening, Mr. President, is this. At that institution, there is an overcrowded condition, and had the money been kept in the bill for the renovation of this old county hospital, I do believe that the overcrowded conditions would have been alleviated. However, that does not appear to be the case. Now what is going to happen, in my opinion, is that Mayview will be placed in a position whereby they will be forced to transfer some of their patients from this institution. As you know, Mr. President, Mayview, generally speaking, takes care of Pittsburgh, Allegheny County, Beaver, Lawrence and a portion of Washington County. It seems to me that we are making a mistake by deleting this money from the bill.

In regard to the installation of storm sewers, you know we can be penny-wise and pound-foolish because those storm sewers must be installed. Otherwise, there is going to be flooding during heavy rains. Therefore, I say again that I am very much disappointed that we have not taken care of this institution. I sincerely hope that the leadership in control of this Senate will take this problem into consideration when we return for the next Regular Session.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Koprivier, Jr., | Pechan, | Taylor, |
| Camel, | Kromer, | Ripp, | Van Sant, |
| Chapman, | Lane, | Rooney, | Wade, |
| DiSilvestro, | Madigan, | Ruth, | Wagner, |
| Donolow, | Mahady, | Sarra, | Walker, |
| Ehrgood, | Mallery, | Scott, | Watkins, |
| Elliott, | McCreesh, | Seyler, | Weiner, |
| Flack, | McGinnis, | Shafer, | Whalley, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—4

| | | | |
|----------|----------|----------|--------|
| Confair, | Kessler, | Proport, | Wolfe, |
|----------|----------|----------|--------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HB 2413—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2459—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Stevenson, |
| Berger, | Kalman, | Mullin, | Stiefel, |
| Blass, | Keller, | Murray, | Taylor, |
| Camel, | Koprivier, Jr., | Pechan, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarra, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| | | | Presiding Officer |

NAYS—2

| | |
|----------|----------|
| Kessler, | Proport, |
|----------|----------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, by unanimous consent, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as a member of the Board of Trustees of the Pennsylvania State University: Richardson Dilworth, Philadelphia, from July 2, 1957, until July 1, 1960, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

December 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph Campbell (Republican), Dornsife, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance, until December 31, 1961, and until his successor shall be duly appointed and qualified, vice Oscar Kehler, Shamokin, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

December 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment, as members of the Columbia

County Board of Assistance, until December 31, 1962, and until their successors are duly appointed and qualified, to compute from January 1, 1960:

Joseph C. Conner (Democrat), 102 West Street, Bloomsburg, Columbia County, vice Mrs. Hannah L. Groner, Bloomsburg, whose term expired.

Edward T. Kitchen (Republican), 154 East Fifth Street, Bloomsburg, Columbia County, vice Robert W. Coffman, Bloomsburg, whose term expired.

DAVID L. LAWRENCE.

SENATE CONCURRENT RESOLUTION

RECALLING SB 773 FROM THE GOVERNOR

Mr. BERGER offered the following resolution which was read as follows:

In the Senate, December 18, 1959.

Resolved (the House of Representatives concurring), That Seante Bill No. 773, Printer's No. 1655, entitled "An act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' prohibiting the closing of schools or departments during the school term, and providing for the payment of the salaries of professional employes in such cases changing provisions relating to excuses from attending school," be recalled from the Governor for the purpose of amendment.

On the question,

Will the Senate adopt the resolution?

Mr. LANE. Mr. President, I request a roll call vote.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. LANE and were as follows, viz:

YEAS—7

| | | | |
|---------------------|-------------------|------------------|-------------------------------|
| Berger, Chapman, | Hays, Mallery, | Ripp, Seyler, | Fleming, Presiding Officer |
|---------------------|-------------------|------------------|-------------------------------|

NAYS—20

| | | | |
|---|--|---|--|
| Confair, Ehrgood, Flack, Harney, Kessler, | Koprivier, Jr., Lane, Madigan, Mahady, McGinnis, | Miller, Mullin, Propert, Ruth, Scott, | Van Sant, Watkins, Weiner, Whalley, Wolfe, |
|---|--|---|--|

So the question was determined in the negative, and the resolution was defeated.

RECONSIDERATION OF HB 317

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 317 failed of passage, on final passage, on December 16, 1959.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. EHrgood. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. EHrgood. Mr. President, I voted with the prevailing side.

On the question,

Will the Senate agree to the motion?

Mr. WADE. Mr. President, since we have a motion before us to reconsider the vote by which House Bill No. 317, Printer's No. 2099, fell, I want to make a few remarks.

In the first place, this is reviving—as we attempted to do a moment ago on another bill—a bill that has had the full consideration of this Senate. I do not think there is a single Member of this Senate, on either side, who has not had favorite bills, bills which they thought the Commonwealth needed, but which failed either in committee or on the floor of the Senate in passage. They were disappointed. I do not blame them, because I have had some in the same category.

Now we are attempting to reconsider a bill which the committee has given a tremendous amount of consideration. I say a tremendous amount of consideration because it involved nearly all of the time we have been in Session, and that is almost a full year. Now we are here in the closing days of the Session, and we are under a great deal of pressure. I know from experience what that pressure is. However, I have never occupied the position of Senator Berger or Senator Weiner, and I know that their pressure is many times more than that of any other Members of the Senate. I believe they made this motion and seconded it, but I am not sure about the second. We add to our pressure when we finally decide our problem, and then uncover the grave and dig it up again. That is exactly what we are doing here this morning.

I say to Senator Weiner, if he seconded this motion, that he is eminently unfair to one of his distinguished colleagues, Senator McMenamin, who took the floor and explained in very clear, very logical and in legal terms—

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, I am sure the distinguished Senator from Cumberland County would not want to have the record in error. Therefore, I would like to correct him, I did not second the motion to reconsider this matter. I believe the distinguished Senator from Lebanon, Senator Ehrgood, seconded this motion.

The PRESIDING OFFICER. The point of order raised by the gentleman from Philadelphia is entirely correct. The motion was seconded by the gentleman from Lebanon, Senator Ehrgood.

Mr. WADE. Mr. President, I thank the Chair, and I sincerely thank and apologize to Senator Weiner. I thought that he had seconded the motion.

Since Senator Weiner is in that position, I sincerely hope that he has the interest of his distinguished colleagues on the other side of the aisle foremost in his mind. They have been loyal to him. They have helped him. They have worked with him, and Senator McMenamin is one of the outstanding Members of this Senate on either side. Certainly, because Senator McMenamin is in committee work or somewhere else and is not privileged to be on the floor of this Senate at the moment, this bill should not be brought up when he has expressed himself so clearly and so well, and from a legal standpoint, on the floor of this Senate.

Of course, there are a number of procedures to which we might resort. We might ask for a poll of the Senate under Rule 36, which read as follows:

"When less than a quorum vote upon any subject under the consideration of the Senate not less than four Senators may demand a call of

the Senate, when it shall be the duty of the President forthwith to order the doors of the Senate to be closed, the roll of the Senators to be called, and if it is ascertained that a quorum is present, either by answering to their names, or by their presence in the Senate, the President shall again order the yeas and nays, and if any Senator or Senators present refuse to vote the name or names of such Senator or Senators . . ." et cetera, et cetera.

Mr. President, I did not have my full quota of mean pills this morning, so I am not going to do that. I am simply going to ask the President that he instruct the Clerk to record the votes only of those present, and I am sure that is an agreement that we should have.

I am not unmindful of the many, many courtesies extended to me during our other long Session, or of the many courtesies extended by Senator Berger to those on the other side and to his colleagues on this side, and the same applies to Senator Weiner. He has extended many courtesies to all of us and all of his Members. However, let me come to the meat of the thing upon which we are voting.

I have been told by the Chair, and I have been told by Senator Berger here publicly, that we are considering House Bill No. 317, Printer's No. 2099. I sincerely hope that the statement I am about to make does not go out beyond the walls of this Senate. Let me amend that to say, beyond the boundaries of Pennsylvania or beyond the boundaries of the United States of America. I have definite information from a Member of this Senate that the Members on the other side of the aisle have been called to the front office and told to vote for this bill since it was defeated the other day.

Let me give you more information, and I am giving you this information because I charge the Democratic Administration now in office with insincerity regarding this bill. I will tell you why I am charging them. We armended this bill in the Senate. It was our full intention of having a bill that would accomplish the purpose that the many fine ladies of this Commonwealth wish to accomplish, and many men joined in that. They are hoping that Pennsylvania will be kept a beautiful State. With that, I am in full accord. I am in total agreement with them. I want the State of Pennsylvania to be as beautiful as any State in the Union and as beautiful as the pioneers who first settled this State found it.

However, I told the Senate the other day—and I am a little off my point at the moment—That I do not believe that taking a right away from a property owner, 660 feet beyond the limits where the Commonwealth or the Federal Government pays, is right or constitutional. Secondly, I do not believe this bill will qualify and I will give you the reasons.

A few days ago—December 15, 1959, to be exact—I received a letter from the Chief Counsel of the Department of Highways, Commonwealth of Pennsylvania; a Deputy Attorney General, John R. Rezzolla, Jr. The letter, dated December 14, 1959, was addressed to me and reads as follows:

"Enclosed please find a copy of my letter of December 14, 1959, to Roy Schafer, Legislative Secretary to the Governor, concerning House Bill 317, Printer's No. 2099. Also enclosed please find

a copy of the proposed amendments to House Bill 317."

Now, gentlemen, those within my hearing realize why I checked so carefully about the printer's number on the bill that we are about to reconsider.

With that letter was enclosed a copy of a letter dated December 14, 1959, which reads as follows:

"Roy Schafer, Legislative Secretary

"Office of the Governor

"J. R. Rezzolla, Jr., Chief Counsel

"House Bill 317, Printer's No. 2099, prohibits the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways. This Bill passed the House on third reading and final passage on June 22, 1959, by a vote of 158 to 40. It was referred to the Committee on Highways in the Senate on June 23, 1959. It remained in the Senate Committee until Wednesday, December 9, 1959, when it was amended and taken out of Committee."

Let me tell you further—and I repeat what I said on the floor a few days ago—that two special subcommittees were appointed to report to the general Committee on Highways regarding this bill. Neither committee could agree, and returned the bill without recommendation to the general committee. In the meantime, our distinguished colleague, Senate Van Sant, held a public hearing, which a number of citizens of this Commonwealth attended. Included among them were a number of distinguished attorneys, who were well learned and well versed in the law. Every consideration was given that bill in the hope that we could report it to the Senate floor in good form and let the Members of this Senate determine for themselves, when voting on a good bill or when voting on a bill that we believed was in good form—

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order. The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, I would ilke to suggest to the Chair that the gentleman is going far afield on the motion that was made. There is merely, before this body, a motion asking that this bill be reconsidered. I do not want to be rude and interrupt the gentleman because he will only make this speech again when the matter comes before us, and I would like to pay careful attention at that time. I believe that under the Rules—and the gentleman read from them earlier and I want to make sure that we adhere to them—we are to speak only on the motion as to whether we shall consider or not consider this measure. I think the merits of the bill can wait until the measure is before us.

Mr. WADE. Mr. President, I ask for the privilege to make a short statement before you rule on his Point of Order.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WADE. I may say to Senator Weiner, for whom I have the highest respect and he knows it, if I were in his position with this bill, I certainly would not want this second letter to be on the record. I do not blame him for his position, however.

Mr. President, if you rule that I am out of order, I would respectfully ask the Chair for the privilege of talking on the bill when the bill is reconsidered, if this motion carries. I await your instructions.

The PRESIDING OFFICER. The Chair would now like to rule on the Point of Order and read from Mason's Legislative Manual, page 322:

"When the question to be reconsidered is debatable, the entire question is opened to debate by the motion to reconsider."

The Chair would, therefore, say and would have to rule that the gentleman is in order in discussing the bill if he so desires.

Mr. WADE. I thank the Chair.

Mr. WEINER. Mr. President, I do not want to appeal the ruling of the Chair. However, I do want to state that if this letter is that important, I wanted to hear it under the discussion of the measure and did not want to clutter up this motion to reconsider the bill. I do not want to miss hearing this important missile or epistle which the gentleman has received regarding this important matter.

The PRESIDING OFFICER. Will the gentleman please confine his remarks to the bill?

Mr. WADE. Mr. President, I will be glad to follow the instructions of the Chair. This bill covers the entire Commonwealth of Pennsylvania, and, with your permission, Mr. Presiding Officer, I will limit my remarks to the bill as it applies to Pennsylvania law.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WADE. Mr. President, I would like to continue to read from this letter, after explaining to the Senate that the bill had the full consideration of the Senate Committee on Highways, including two subcommittees.

I now quote, continuing from the letter written by Mr. John R. Rezzolla, Jr., to Mr. Roy Schafer, Legislative Secretary, Office of the Governor:

"On Friday, December 11, 1959, a meeting was held in the office of the Chief Counsel, Bureau of Public Roads, Washington, D. C., attended by J. Shane Creamer, Asst. Attorney General, assigned to the Legal Bureau of the Department of Highways. At that time, Robert May, Assistant to the Chief Counsel of the Bureau of Public Roads, studied House Bill 317, Printer's No. 2099, in order to determine whether or not this Billboard Bill would qualify the Commonwealth of Pennsylvania to participate in the 1/2 of 1¢ federal bonus established in accordance with the highway laws contained in Title 23, United States Code."

I apologize to the Chair because I am beyond the boundaries of Pennsylvania at the moment.

Let me further explain, as was pointed out so ably on the floor of the Senate the other day by several of the Members, that this proposed bait, as Senator McMenamin recited, is only a bait. We know that is true if we read the daily papers at all. We know that this highway trust fund is badly in need of every penny to meet their promised obligations to the different States of the United States.

I continue to read from the letter:

"After a thorough examination of House Bill 317, Printer's No. 2099,"—which is the current printer's number—"Mr. May stated emphatically that the Bill in its present form would definitely

not qualify the Commonwealth of Pennsylvania to participate in the federal bonus. Two specific provisions in the Bill, as amended, were in direct contradiction to the federal rules, regulations and standards.

"Since the bill does not qualify Pennsylvania in its amended form, I have prepared two additional amendments, which I request be introduced in the Senate. If these two amendments are added to the bill and the bill is passed by the General Assembly, Pennsylvania will qualify for the federal bonus.

"Will you kindly see that these amendments are introduced in the Senate as soon as possible?

"Thank you very much for your attention to this matter."

That letter, I repeat, is directed to Mr. Roy Schafer.

I telephoned Mr. Schafer. On the sixth attempt, I reached Mr. Schafer. Mr. Schafer said, "I have prepared the amendments. I have passed them on to the Minority Leader of the Senate, and I do not understand why they have not been offered." That is a telephone conversation direct with Mr. Schafer. Of course, I could not see Mr. Schafer, but I believe I could recognize his voice, having talked to him on previous occasions.

My charge is this, Mr. President: If the Members on that side of the aisle, who have I am told been given instructions to vote for this bill, vote for it in its present form, they are simply acting on a subterfuge. The Chief Counsel of the Highways Department said to Mr. Roy Schafer that the bill now will not qualify. Then, I am told, they have been called to the front office and told to vote for the bill. Is that good legislation? Is that the kind of pressure to which these gentlemen and yourself should be subjected? A direct statement from the Administration indicated that the bill will not qualify. Amendments, they say, were sent over, and the amendments failed to be offered. Now we are asked to reconsider a bill that we know, by the direct statement of the Administration, is not good.

Gentlemen, I repeat what I said awhile ago. We are all under pressure. If I wanted to be mean, I could invoke this rule of the Senate, Rule 36, but I am not going to do that. We are under enough pressure now.

However, gentlemen, let us be fair and let us be honest. We know by direct statement from the front office that the bill will not qualify. When I refer to the front office, I mean Mr. Rezzolla, Chief Counsel of the Highways Department, for whom we have the greatest respect. We asked him, in particular, to come to our hearing, and he gave us much valuable information. He enjoys the same position that we do. If we pass a bill, we want a good bill. Those over the Commonwealth who advocate the bill have a very intense interest. I think the bill will hurt industry. I think it will take a constitutional right away from a property owner.

Whether I am in favor of it or not, as was said by a gentleman the other day, the bill should come to the floor of the Senate, and it is here on the floor of the Senate. It was here and had a fair chance for passage. The committee acted on the bill. The committee gave it a great deal of consideration. It occupied the time and attention of the Members of the Highways Committee at two Highways Committee Meetings. It had a public hearing. It was referred to two special committees. Now at the final closing of this Session, we offer a bill which the Admin-

istration says is important; important to qualify for the federal bonus. Do we not bring this pressure on ourselves? We certainly do by digging up graves, and by digging up measures that we know will not accomplish the purpose that the good Members of this Senate who wish to vote for this bill hope to accomplish. Yet, we have this legal opinion from the Chief Counsel of the Highways Department that it will not do that.

Mr. WEINER. Mr. President, am I in order to interrogate the gentleman?

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WEINER. Mr. President, I am perfectly willing to wait, if he wishes to discuss this matter with counsel.

The PRESIDING OFFICER. In all fairness to Senator Wade, the Chair does not think he heard the question. Senator Wade, will you permit yourself to be interrogated?

Mr. WADE. Mr. President, I will be glad to be interrogated publicly. I was being interrogated privately.

The PRESIDING OFFICER. The gentleman will proceed.

Mr. WEINER. Senator, would you advise us whether you are Chairman of the Highways Committee?

Mr. WADE. I have been this Session, and I have enjoyed that position.

Mr. WEINER. Would you please tell the Members of the Senate the date of the letter that you received from the Chief Counsel of the Highways Department?

Mr. WADE. I will be glad to do so. The date of the letter, which I received, was December 14, 1959. The letter to which it referred, and which I read into the Senate record, is dated December 14, 1959.

Mr. WEINER. This is the letter that you just told us is the one which states that in this bill, we will not qualify for the Federal money. Is that correct?

Mr. WADE. That is correct, Mr. President.

Mr. WEINER. Did you ever receive from the department any amendments to this bill, House Bill No. 317?

Mr. WADE. Mr. President, I know the gentleman is quite busy with his different tasks, but I told the Senate a few moments ago that Mr. Roy Schafer—

Mr. WEINER. Excuse me, Senator. That is my fault. I did not ask the question properly. Had you ever received from the department, directly, any amendments to this bill?

Mr. WADE. No, Mr. President. The letter states that the amendments were sent to Mr. Roy Schafer, Legislative Secretary to the Governor.

Mr. WEINER. Therefore, your answer, sir, if I understand you correctly, is that you never received any amendments to this bill from the department. Is that correct?

Mr. WADE. May I say to Mr. WEINER, the letter I received stated that the amendments were being sent to Mr. Roy Schafer, Legislative Secretary to the Governor.

Mr. WEINER. Then, sir, would you say that it is a fair statement to say that you did not receive any amendments to this bill from the department? Is that correct?

Mr. WADE. That is not correct. I received a letter dated December 14, 1959. If the gentleman wishes, I will be glad to reread this letter.

Mr. WEINER. No, sir. Senator, perhaps I am not stating

my question correctly, and please forgive me. I will try to be a little more concise and try to make it clear.

Did you, at any time, have placed in your hands or receive through the mail any amendments to this bill other than the ones which the letter discusses, or those discussed in the phone call that you mentioned to us? Did anyone physically bring you any amendments to this bill?

Mr. WADE. Yes, Mr. President, that is right. Mr. Rezzolla sent amendments to the committee on two previous occasions.

Mr. WEINER. Right. Now did you look over those amendments?

Mr. WADE. I did.

Mr. WEINER. Did you adopt those amendments in committee?

Mr. WADE. We did. The committee did, but one set of amendments was changed from one time to another.

Mr. WEINER. All right, sir. That is the part I wanted to get to. Now those amendments which were given to you by the department and which were adopted in committee, did you adopt them completely?

Mr. WADE. No, the amendments adopted were a combination of revisions to the bill that were recommended by several different organizations, including the Roadside Council and several others. They included Mr. Rezzolla's amendments.

Mr. WEINER. Then, sir, is it a fair statement to say that you took the amendments which you received from the Highways Department and did not adopt them completely, but you made some changes in those amendments? Is that correct?

Mr. WADE. It is only correct in part. The entire amendments offered by Mr. Rezzolla were offered, plus other amendments which the committee felt would strengthen the bill.

Mr. WEINER. At any time, Senator, that you feel you do not want me to interrogate you any further or ask any questions, you just tell me and I will stop.

Would you then tell me, Senator, did you make two specific changes in this bill that were not recommended by the department?

Mr. WADE. I did not, Mr. President.

Mr. WEINER. When I say "you," sir, I do not mean you personally, as Senator Wade, but did the committee, with you acting as chairman, do this?

POINT OF ORDER

Mr. BERGER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Potter, Mr. BERGER, will state it.

Mr. BERGER. Mr. President, my point of order is that the interrogations of the gentleman are out of order for the reason that the amendments adopted by the committee or by the Legislature are the amendments which appear in the bill. Therefore, the remarks of the gentleman, inferring that the source of the amendments should have been the Highways Department, have no bearing upon this bill.

The bill is before the Senate in the form in which it was reported from committee, and whether or not the Highways Department desired any other amendments, or whether they had amendments that did not get in or amendments that did get in, is absolutely not pertinent

to the issue. The bill that we are discussing is the bill before us.

Mr. WEINER. Mr. President, I am not inferring that at all. All I am saying is that the gentleman read a letter stating that there were certain amendments that he did not receive. He then went into a long dissertation about these amendments. The only things I am trying to elicit, for my own information, are: (a) Did the department send him any amendments? I think the answer to that was "yes". (b) Did they adopt all of these amendments? The answer to that was, "not completely". The next question that I asked the gentleman was: Were there two other amendments, which were not part of the Highways Department recommendations, adopted by the committee and put into the bill? I did not ask—and I do not care—from where the amendments came. I never received the answer to that question completely, because we were interrupted by this point of order.

I believe that I asked the Chair before I began whether it was proper for me to interrogate the gentleman. I believe the Chair ruled by telling me to proceed with the interrogation, if the gentleman would allow himself to be interrogated. If I am out of order now, I will wait until this measure comes before us and debate it then. However, I feel that the Members of this Senate, before they can intelligently vote on this matter, should have the information that I am trying to elicit from the chairman of the committee. I only want to get the facts so that we can operate on those facts.

Mr. BERGER. Mr. President, whether or not the gentleman introduces extraneous matter into this debate by way of interrogation, or by way of direct statement, makes no difference. The bill, as it appears before us, is the only matter before the Senate. I submit that it is entirely out of order to try to bring in all of these outside and extraneous subjects.

The PRESIDING OFFICER. The Chair would like to say that, in his opinion, the point of order raised by Senator Berger is well taken. The Chair would also like to say that the Chair has probably been derelict in its duty in permitting those letters to be read into the record by Senator Wade and, therefore, feels, in a sense of fairness, that possibly Senator Weiner would have a right to discuss them.

Certainly, though, Senator Weiner, when you asked the Chair if an interrogation were in order, you would agree that the Chair would have no way of knowing what questions you were going to put to the other gentleman. The Chair believes that if the bill is reconsidered and is then before us for a final vote again, any of these matters would be proper to be brought into discussion.

Mr. WEINER. Mr. President, it is not my desire to go far afield, or to long delay this matter, or take a great deal of time with it. However, there are two points which I think should be brought before the Members of the Senate.

I believe the Chair ruled that under Mason's Manual of Legislative Procedure, under which we have operated, after a bill has been before us and is being brought back, it is perfectly proper to discuss this matter in toto. That is what I am doing. If I am out of order, it is not intentional. I am merely following the ruling made by the Chair.

The PRESIDING OFFICER. The gentleman is not out

of order in debating the bill. Senator Berger is correct in his point of order, that the only thing before the Senate is House Bill 317, Printer's No. 2099, in its present form. The Chair could then caution all Members of the Senate, if they desire to take part in this debate, to confine their remarks completely to the bill as it is now before the Senate for discussion.

Mr. WEINER. Mr. President, will the gentleman allow himself to be further interrogated?

The PRESIDING OFFICER. Will Senator Wade permit himself to be further interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Senator, I believe the last question which I put to you was: Were other amendments adopted, other than the Highways Department amendments which you adopted in committee?

Mr. BERGER. Mr. President, I rise to renew my point of order.

Mr. WEINER. Mr. President, may we be at ease a few moments?

The PRESIDING OFFICER. The Senate will be at ease. (The Senate was at ease.)

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. May the Chair respectfully suggest to Senator Weiner that he yield in order that we may put the motion on whether or not we are to reconsider the vote on House Bill No. 317?

Mr. WEINER. Mr. President, I will yield.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WEINER and Mr. MAHADY, and were as follows, viz:

YEAS—17

| | | | |
|----------------|-----------|---------|-------------------|
| Berger, | Lane, | Miller, | Stevenson, |
| Ehrgood, | Mahady, | Mullin, | Wagner, |
| Harney, | Mallery, | Ripp, | Weiner, |
| Hays, | McGinnis, | Seyler, | Fleming, |
| Koprivier, Jr. | | | Presiding Officer |

NAYS—13

| | | | |
|----------|----------|-----------|----------|
| Elliott, | Madigan, | Scott, | Wade, |
| Keller, | Probert, | Taylor, | Whalley, |
| Kessler | Ruth, | Van Sant, | Wolfe, |
| Kromer, | | | |

So the question was determined in the affirmative, and the motion for reconsideration was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. RUTH. Mr. President, I very seldom rise on the floor to speak on a bill. However, I will speak on this subject because I do not want to make myself ridiculous by voting for this bill.

As the bill is amended, it is possible to paint any kind of a sign on a barn, anywhere along the highways. There is nothing to prevent a farmer from putting up a billboard by erecting a lean-to on his farm and storing some old pieces of machinery under it, and then calling it a barn. He would be legally having a sign along the highway. There is nothing in the bill to prevent him from building such a structure every fifty feet.

Therefore, Mr. President, from that standpoint, the bill is absolutely ridiculous. The main standpoint from which I am opposed to it is the fact that I am against confiscating property without paying for it. Under this bill, we are taking away the rights of a property owner for 660 feet on

each side of the edge of the highway. We are telling him what he can do and what he cannot do. If the bill is amended whereby we are going to pay the farmer for the billboard rights along 660 feet of the highway, then it would be a different story. However, under the present bill, it is simply a matter of taking his land and telling him that he cannot erect any kind of a structure with a sign on it for 660 feet on each side of the edge of the highway.

I have an Interstate Highway going through my District. I have received many letters and many telephone calls from farmers who are collecting enough rental from billboards on their properties to pay their taxes on their farms. They are, therefore, opposed to this legislation.

For that reason, Mr. President, I am opposed to this bill. I think we are making ourselves ridiculous by voting for a bill which is amended such as this one is. This bill makes it possible to erect any amount of signs along the highways, putting any kind of a structure behind the sign and just calling it a barn. Therefore, I ask my colleagues to vote "no" on this bill.

Mr. WEINER. Mr. President, the remarks made by the gentleman from Cumberland were well taken. It is not my desire, on any kind of legislation, to prevent anybody from making their wishes known.

Therefore, Mr. President, I ask that this bill appear on Monday's Final Passage Calendar.

The PRESIDING OFFICER. There being no objection, House Bill No. 317 will appear on Monday's Final Passage Calendar.

REPORTS OF COMMITTEES OF CONFERENCE

Mr. EHRGOOD submitted the Report of Committee of Conference on **HB 1355**, which was laid over for printing under the rules.

Mr. MCGINNIS submitted the Report of Committee of Conference on **HB 1971**, which was laid over for printing under the rules.

HOUSE MESSAGES

SENATE BILL RETURNED FOR AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 413**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SB 413 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **SB 413**, and received unanimous consent for its immediate consideration.

SENATE NONCONCURS IN HOUSE AMENDMENTS TO SB 413, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do nonconcur in the amendments made by the House to **SB 413** and that a Committee of Conference on the part of the Senate be appointed.

Mr. KESSLER, Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WADE, WATKINS and WEINER, as a Committee

of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **SB 413**.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN SENATE AMENDMENTS TO SB 1043, RECALLED FROM THE GOVERNOR, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its nonconcurrence in Senate amendments to **SB 1043**, and has appointed Messrs. RUDISILL, IRVIS and GOLDSTEIN as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to **SB 1043**.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

RECESS

Mr. BERGER. Mr. President, I request a one hour recess of the Senate.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a one hour recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. BERGER, by unanimous consent, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

JUSTICE OF THE PEACE

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Walsh, 701 Surrey Lane, Glenolden, Delaware County, for appointment as Justice of the Peace in and for the Township of Darby, Delaware County, to serve until the first Monday of January 1960, vice Francis J. Fitzpatrick, Jr., resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Delaware County Board of Assistance:

Mrs. Charlotte Snyder (Dem.), Wallingford, Delaware County, from June 21, 1957, until December 31, 1959, and until her successor is duly appointed and qualified.

Mrs. Harriette Bland Coke (Dem.), St. Davids, Delaware

County, from January 1, 1959, until December 31, 1961, and until her successor is duly appointed and qualified.

Harry V. Hines (Dem.), Chester, Delaware County, from January 1, 1959, until December 31, 1961, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Board of Trustees of the Pennsylvania State University:

Miss Mary Jane Wyland, State College, from July 2, 1958, until July 1, 1961, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

REPORT OF COMMITTEE OF CONFERENCE

Mr. SHAFER submitted the Report of Committee of Conference on **SB 1043**, which was laid on the table.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO **SB 1066**

The Clerk of the House of Representatives being introduced, presented communication informing the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 1066**.

SENATE RECEDES FROM ITS NONCONCURRENCE IN AMENDMENTS MADE BY THE HOUSE TO **SB 1066**

Mr. BERGER. Mr. President, I move that the Senate do recede from its nonconcurrence in the amendments made by the House to **SB 1066**.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. BERGER. Mr. President, I now move that the Senate do concur in the amendments made by the House to **SB 1066**.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camlet, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Welner, |
| Elliot, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS

He also informed the Senate that the House has concurred in Senate Concurrent Resolutions, **Serial Nos. 120, 122 and 124**.

The PRESIDING OFFICER. At this time, the Chair turns the gavel over to the President pro tempore of the Senate.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **HB 762, 927, 1142, 1584, 1735, 1740, 1851, 1852, 1909, 2048, 2361, 2368, 2397, 2399, 2400, 2431, 2449 and 2463**.

The PRESIDENT pro tempore. The Chair now returns the gavel to the gentleman from Allegheny, Senator Fleming, to preside.

The PRESIDING OFFICER. (Robert D. Fleming) in the Chair.

EXECUTIVE NOMINATIONS

Mr. BERGER. Mr. President, may we revert to the order of business of Executive Nominations?

The PRESIDING OFFICER. There being no objection, the Senate will revert to the order of business of Executive Nominations.

EXECUTIVE SESSION

A motion was made by Mr. BERGER and Mr. TAYLOR, That the Senate do now resolve itself into Executive Session for the purpose of considering nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. BERGER asked and obtained unanimous consent for immediate consideration of the nominations made by his Excellency, the Governor, and reported from committee at today's Session.

The nomination's were read as follows:

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Board of Trustees of The Pennsylvania State University:

Richardson Dilworth, Philadelphia, from July 2, 1957, until July 1, 1960, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

December 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ralph Campbell, (Republican), Dornsife, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance, until December 31, 1961, and until his successor shall be duly appointed and qualified, vice Oscar Kehler, Shamokin, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

December 16, 1959

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Columbia County Board of Assistance, until December 31, 1962, and until their successors are duly appointed and qualified, to compute from January 1, 1960:

Joseph C. Connor (Democrat), 102 West Street, Bloomsburg, Columbia County, vice Mrs. Hannah L. Groner, Bloomsburg, whose term expired.

Edward T. Kitchen (Republican), 154 East Fifth Street, Bloomsburg, Columbia County, vice Robert W. Coffman, Bloomsburg, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

July 14, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John J. Walsh, 701 Surrey Lane, Glenolden, Delaware County, for appointment as Justice of the Peace in and for the Township of Darby, Delaware County, to serve until the first Monday of January 1960, vice Francis J. Fitzpatrick, Jr., resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE DELAWARE COUNTY BOARD OF ASSISTANCE

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Delaware County Board of Assistance:

Mrs. Charlotte Snyder (Dem.), Wallingford, Delaware County, from June 21, 1957, until December 31, 1959, and until her successor is duly appointed and qualified.

Mrs. Harriotte Bland Coke (Dem.), St. Davids, Delaware County, from January 1, 1959, until December 31, 1961, and until her successor is duly appointed and qualified.

Harry V. Hines (Dem.), Chester, Delaware County, from January 1, 1959, until December 31, 1961, and until his successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 20, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for appointment as a member of the Board of Trustees of the Pennsylvania State University: Miss Mary Jane Wyland, State College, from July 2, 1958, until July 1, 1961, and until her successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations just read by the Clerk?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Probert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarrafi, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silver, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. BERGER. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

EXTENDING BEST WISHES FOR A HAPPY CONCLUSION TO THE LIBERTY BOWL GAME

Mr. HAYS. Mr. President, I am going to make a brief statement concerning an event which is to take place tomorrow.

I hope I express the sentiments of the Senate of Pennsylvania and the entire Commonwealth when I say that we wish a happy conclusion to the Liberty Bowl Game in Philadelphia. By this, I mean we hope for a victory for the football team of the Pennsylvania State University. I hope that on January 4, I will have the opportunity and the privilege of presenting a formal resolution.

The PRESIDING OFFICER. I am sure that the entire Membership of the Senate agrees with you, Senator Hayes.

It just shows the unanimity we can secure on occasion in this Senate.

Mr. BERGER. Mr. President, I would like to ask the gentleman whether he is giving any points.

Mr. HAYS. Mr. President, I would say to the gentleman that he should let his conscience be his guide.

HB 1572, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table HB 1572, recalled from the Governor.

SENATE RECEDES FROM ITS NONCONCURRENCE IN HOUSE AMENDMENTS TO HB 1572, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate

do recede from its nonconcurrence in amendments made by the House to **HB 1572**, recalled from the Governor.

Mr. ELLIOTT. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I now move that the Senate do concur in the amendments made by the House to **HB 1572**, recalled from the Governor.

Mr. ELLIOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr. | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliot, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Shvert, | Fleming, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, I request a one-half hour recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Caucus Room on the first floor.

The PRESIDING OFFICER. Are there any objections?

The Chair hears no objection, and declares a one-half hour recess of the Senate

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

ANNOUNCEMENT BY THE CHAIR

The PRESIDING OFFICER. Some of the Senators have requested that the contents in their desks be sent home to them. The staff is willing to do that for them, but the Chair would like to remind the Members that we will be back in another Session of the Legislature, on January 5.

The Chair would, therefore, recommend to the Members that much of the contents in their desks will be needed by the gentlemen in the 1960 Session. The Chair would suggest that unless the Members have some particular reason for having this material sent home, they advise the staff not to send it to them.

REPORT OF COMMITTEE OF CONFERENCE

Mr. WHALLEY submitted the Report of Committee of Conference on **HB 1977**, which was laid on the table.

REPORT FROM COMMITTEE ON ELECTIONS

Mr. WHALLEY asked and obtained unanimous consent to present a report from committee.

Mr. WHALLEY. Mr. President, I offer the following report and ask that it be spread on the record.

The PRESIDING OFFICER. The document will be spread on the record of the Legislative Journal.

REPORT FROM COMMITTEE ON ELECTIONS REL- ATIVE TO SENATE RESOLUTION, SERIAL No. 1

On January 6, 1959, Senate Resolution, Serial No. 1 (not printed), Legislative Journal, page 9, was introduced in the Senate of the Commonwealth of Pennsylvania and on the same day was laid on the table. On January 26, 1959 the resolution was referred to the Committee on Elections for consideration.

The Committee on Elections held hearings and received testimony with reference to the qualifications of the Honorable Benjamin R. Donolow, particularly as to his residence within the District which he was elected to represent in the Senate of the General Assembly of the Commonwealth of Pennsylvania.

Every person and every group of persons desiring to testify or to submit documentary evidence on this subject were given an opportunity to do so.

The Committee on Elections respectfully submits that the evidence submitted was contradictory and inconclusive and, therefore, insufficient in law and fact for it to make any specific finding or recommendation with reference to the resolution.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE DELAWARE RIVER PORT AUTHORITY

December 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John P. Crisconi, 1155 South Broad Street, Philadelphia, Philadelphia County, for appointment as a member of the Delaware River Port Authority, until November 24, 1962, and until his successor is appointed and qualifies, vice Theodore L. Blumberg, Philadelphia, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Marvin L. Barry, Box 7, Leighton, Carbon County, for reappointment as Justice of the Peace in and for the township of Franklin, Carbon County, to serve until the first Monday of January 1962, to compute from January 4, 1960.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS NONCONCURRENCE IN
AMENDMENTS TO **HB 1616**, AND APPOINTS
COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 1616**, and has appointed Mrs. VARALLO, Messrs. POLEN and WOOD, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1616**

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1616**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. SHAFER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORTS OF COMMITTEES OF
CONFERENCE

He also informed the Senate that the House has adopted Reports of Committees of Conference on **HB 900** and **1675**.

HB 900 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 900**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE
ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 900**, entitled:

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017) including neglected children within the powers and duties of the local authorities.

Mr. SHAFER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 1675 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1675**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1675**, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) authorizing the erection of "yield right-of-way" signs describing the duties of operators thereof prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

Mr. ELLIOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Stiefel, |
| Berger, | Keller, | Murray, | Taylor, |
| Blass, | Kessler | Pechan, | Van Sant, |
| Camel, | Koprivier, Jr. | Propert, | Wade, |
| Chapman, | Kromer, | Ripp, | Wagner, |
| Confair, | Lane, | Rooney, | Walker, |
| DiSilvestro, | Madigan, | Ruth, | Watkins, |
| Donolow, | Mahady, | Sarraf, | Weiner, |
| Ehrgood, | Mallery, | Scott, | Whalley, |
| Elliott, | McCreesh, | Seyler, | Wolfe, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Silvert, | Presiding Officer |
| Hays, | Miller, | Stevenson, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 2150**, which was laid on the table.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 2170**.

HB 2170 TAKEN FROM THE TABLE

With out objection, Mr. BERGER called from the table **HB 2170**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 2170**, entitled:

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases ordors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers * * * and providing an appropriation therefor.

Mr. PROPERT. Mr. President, I second the motion.
On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|------------|-------------------|
| Barr, | Kalman, | Mullin, | Taylor, |
| Berger, | Keller, | Murray, | Van Sant, |
| Blass, | Kessler, | Pechan, | Wade, |
| Camel, | Koprivier, Jr., | Proper, | Wagner, |
| Chapman, | Kromer, | Ripp, | Walker, |
| Confair, | Lane, | Ruth, | Watkins, |
| DiSilvestro, | Madigan, | Rooney, | Weiner, |
| Donolow, | Mahady, | Sarraf, | Whalley, |
| Ehrgood, | Mallery, | Scott, | Wolfe, |
| Elliot, | McCreesh, | Seyler, | Silvert, |
| Flack, | McGinnis, | Shafer, | Fleming, |
| Harney, | McMenamin, | Stevenson, | Presiding Officer |
| Hays, | Miller, | Stiefel, | |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate, **SB 993**, with the information that the House has passed the same without amendments.

HOUSE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE

He also informed the Senate that the House has adopted Reports of Committees of Conference on **SB 785** and **882**.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO **SB 413**, AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **SB 413**, and has appointed Messrs. **POLEN**, **HAMILTON** and **STIMMEL** as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE RECEDES FROM ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO **SB 24**

He also informed the Senate that the House has receded from its amendments nonconcurring in by the Senate to **SB 24**.

COMMITTEE OF CONFERENCE APPOINTED ON **HB 1616**

The **PRESIDING OFFICER**. The Chair announces, on behalf of the President pro tempore, the appointment of

Messrs. **VAN SANT**, **EHRGOOD** and **LANE** as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1616**.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF CONFERENCE ON **SB 413** DISCHARGED

Mr. **WADE**. Mr. President, I wish to report to the Senate that the Conference Committee appointed on Senate Bill No. 413 is unable to reach an agreement.

Therefore, I move that the Conference Committee be discharged.

Mr. **SCOTT**. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. **WADE** asked and obtained unanimous consent to address the Senate.

Mr. **WADE**. Mr. President, the resolution I am about to introduce deals with the same subject as was covered by Senate Bill No. 413, which was sponsored by Senator Berger and Senator Weiner early in this Session.

It is unfortunate that the committee could not reach an agreement. It embodied considerable discussion and the bill was amended a number of times in both the House and the Senate.

We feel that this plan of group life insurance for State employees would be an excellent thing. However, the method by which it would be adopted is the matter at issue. In addition to life insurance, I think the Legislature should also study the matter of all other employee benefit plans.

Therefore, Mr. President, on behalf of Senator Berger, Senator Weiner, Senator Watkins and myself, I am offering this resolution. It is very brief, and would request the Joint State Government Commission to make a complete study of all benefit plans in the hope that when another Session arrives, we can reach an agreement on a good, sensible benefit plan for faithful State employees.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY ALL ASPECTS OF GROUP LIFE INSURANCE AND OTHER BENEFIT PLANS FOR STATE EMPLOYEES

Messrs. **WADE**, **WEINER**, **BERGER** and **WATKINS**, by unanimous consent, offered the following resolution (Serial No. 95), which was read, considered and adopted:

In the Senate, December 18, 1959.

The General Assembly requires for its use, comprehensive factual information concerning group life insurance and other benefit plans for State employees; therefore, be it

Resolved, That the Joint State Government Commission be directed to study all the aspects of group life insurance and other benefit plans for State employees and report its findings and recommendations to the General Assembly.

HB 1380 CALLED UP

Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Reading Calendar, by Mr. **BERGER**.

Mr. BERGER. Mr. President, I move that House Bill No. 1380 be dropped from the Calendar.

Mr. ELLIOTT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I am rising to oppose the dropping of House Bill No. 1380, Printer's No. 1810, from the Calendar.

We have spoken on this measure many times. I have pleaded with the other side to bring this matter up before us.

This is a matter which deals with allowing the best brains that we have to go to school regardless of whether these people used wisdom in choosing their parents. The only thing that you are discriminating against here is a man's inability to pick his parents. As a result of this, you say to him: "You cannot go to school, because we do not have a 'quota system,' but we do operate a quota system." The result of this has been to keep people who have ability and intelligence out of our schools and out of our institutions of higher learning. I believe this is un-American, and I believe that no one here would espouse this cause. I believe that nobody here wants to injure the right of the minority.

Of course, as you know, the minority is the minority, depending on what area of the world we are in. I think that we here should not continue this cause or continue this type of activity, which does nothing but disqualify people who are able to do a job or are able to undertake higher learning, without taking some active steps to protect these people. I believe this is the attitude that we are taking with the dropping of this bill, which is merely a statement of public policy because the bill has been weakened far beyond its original import. I think having weakened it down to this point, and because it is a declaration of public policy, this puts the gentlemen on the other side on record as being in favor of discrimination and being against having people who are best qualified in our institutions of higher learning and, therefore, actually losing the best minds that are available to us.

Mr. ELLIOTT. Mr. President, there is a lot of merit, of course, in what Senator Weiner has just said. This is the kind of bill about which there can be a lot of emotion, because it is a bill which involves a principle which most of us, if not all of us, believe in and hold very dearly, and that is that we are opposed to the kind of discrimination that Senator Weiner described.

However, there is another principle and philosophy involved here from the point of view of the institutions of higher learning which are involved. That is the principle or philosophy of the intervention of government in educational institutions, particularly those of a private nature. I would like to speak very briefly on that principle, because I feel that this is not a question here of the superiority or inferiority of one race or color over the other, but a question of government intervention.

I might say that I am—as I am sure everyone here is—unalterably opposed to discrimination. I am not going to belabor that point and try to prove it by any personal references, but simply let my own record and my friends in education, business, social and political life, attest to that or not, as they choose. I think this, too, is the position of the colleges and the universities.

There is in this Commonwealth an organization known

as the Pennsylvania Association of Colleges and Universities. It consists of practically all institutions of higher learning, the four year institutions granting the A.B. Degree and accredited by the Middle States Association. These are not only the privately owned and supported institutions, but also they are the State-aided universities. As a matter of fact, Doctor Eric Walker, the President of Pennsylvania State University, is President of the Pennsylvania Association of Colleges and Universities. Just recently, the fourteen State Teachers' Colleges were invited to join this P.A.C.U., as it is known. Therefore, I think I am safe in saying that this organization embraces all of the colleges and universities in the Commonwealth.

Back in 1949, ten years ago, a resolution was passed by the P.A.C.U., and I would like to read it:

"Be It Resolved, That this Association of Colleges and Universities of the Commonwealth of Pennsylvania reaffirms its determination to maintain impartial and fair standards of appraisal of the qualifications of candidates for admission so that none will be denied admission to college and university study merely because of his antecedents, his religion, or his race;

"An Further Resolved, That this Association go on record both as opposing discrimination against individuals on grounds of prejudice and also as opposing any and all impairments or threats of impairment to the freedom of institutions of learning to determine, each to the best of its ability, which candidates for admission, among many, give greatest promise by their abilities and by their records of performance to make good use of the privilege to enter college or professional school and to study there."

At its Sixty-Third Annual Meeting at the Hotel Hershey, on October 20, 1959, this same Association adopted and passed another resolution, which I would like to read:

"Whereas, In both belief and practice the member institutions of the Pennsylvania Association of Colleges and Universities have long dedicated themselves to equality of educational opportunities, believing that the welfare and progress of our society depend upon the discovery and fostering of talent without regard to race, religion, color, ancestry, or national origin;

"And Whereas, House Bill No. 1380 implies malpractices which we do not believe prevail, and entails governmental encroachments which administrative procedures of our educational institutions;

"Now Therefore Be It Resolved, That this Association opposes House Bill No. 1380 as 'an exercise of the police power of the Commonwealth' where mature and conscientious educational institutions have long demonstrated responsibility and concern themselves."

As is seen then, the colleges and universities of this Commonwealth have proclaimed to all constituencies that they do not practice discriminatory procedures in admission to their institutions. They believe that students admitted to their institutions should meet a general set of criteria that apply to all students, regardless of their backgrounds. Thus, institutions see discriminatory practices as a great evil. They do not condone it and they do not practice it. They are greatly worried, however, about two other evils which are present in today's educational problems.

First, they see in such a bill as House Bill No. 1380

an attempt by the State Government to interfere in the private operation of a college or university. Only recently, we have learned that Harvard and Yale, and just last week Pennsylvania State University, had turned back almost a million dollars to the Federal Government because they would not tolerate governmental interference in administering of funds offered to them. These three institutions joined Oberlin College in Ohio, Swarthmore, Haverford and Bryn Mawr Colleges, among many throughout the Country, in this stand that the government does not have the right to interfere in the independent operation of a privately incorporated college or university. House Bill No. 1380 is governmental intervention, and we are trying to force it on private institutions.

The other evil is this. Colleges and universities in Pennsylvania are deeply concerned about how they might secure, for their freshman classes, students of ability who do not have the funds to attend an institution of higher learning, not to mention those students of ability who might make a great contribution to society but have not been properly motivated toward further education. These two evils are among the most serious confronting higher education. We know they exist in fact. The colleges are doing all they can. The Commonwealth, unfortunately, is doing virtually nothing but making studies and offering bills of this kind.

Let us take first things first and deal with the problems of economic support and motivation for students who should be in college.

The problem facing us is not one of whether or not students are admitted to institutions of higher education on the basis of race, religion, or national origin. I stand here on this Senate floor today and say I think, without fear of contradiction, that I know of no students not presently enrolled in college because they were denied admission on the basis of the aforementioned factors. Sixty per cent of the Members of this body here attended or were graduated from institutions of higher learning in Pennsylvania, and I ask them if they know of any students in their institutions, either while they were there, or who are going there now or who are not going there now because of race, religion or national origin. The problems of motivation and economic support are the real culprits. I have asked many admissions officers the reasons for not admitting students to colleges or universities. The answer is invariably poor grades or lack of funds. When I ask if race, religion or national origin is the factor, the answer is always "no." I asked if they could give me the figures concerning the make-up of their classes in regard to these factors. They could get this information if they would take the time to gather it, I am sure. They have such information on the records of all students, but this information is used only by the personnel deans and the chaplains in their counseling work. So far as I can determine, the colleges make no fetish about the factors discussed in this bill. They make no effort to discriminate on the basis of them.

The colleges made no point of seeking discriminatory information from students who apply. Only those who are church-related asked for information relating to the factors heretofore described. Those who espouse the legislation that we are considering are the ones asking discriminatory questions over and over and over again.

No one has yet pointed to one person denied admission to any of our colleges or universities because of these reasons under discussion. Neither the Department of Public Instruction nor the Pennsylvania Association of Colleges and Universities has been offered one concrete bit of information pointing to a student who feels he or she has not been admitted to a college or university for reasons of discrimination.

The colleges and universities of our Commonwealth have dedicated themselves to quality and integrity in every phase of their operation. The admissions officer is a skilled and trained professional in his field. He has the responsibility of creating on his campus a community of scholars who can live together and learn together. The group of students he recommends for admission is homogeneous in but one way, and that is that they are persons of above average intellectual ability. In all other respects—race, religion, national origin, economic status, athletic or music ability—they are heterogeneous.

There are no communities in this Country which are more cosmopolitan, more representative of all of the people in this Country or more dedicated to the rights of the individual than those communities we know as college campuses. Why must we castigate these institutions in public with the shameful inferences of this piece of legislation? Is this the way we show our gratitude to the scores of colleges and universities in this Commonwealth which have served us so well?

Mr. WEINER. Mr. President and Members of the Senate, I would say that the remarks just made by the gentleman are the same type of remarks that I have been hearing every time this subject comes up, and they are made by the same people all of the time. I think this is sort of an ostrich in the sand attitude. Suppose I were to demonstrate to Senator Elliott and the other Members of this Senate the discrimination of different people. It is not only in the minority groups. It runs through the entire groupings or ethnic groupings, if you please.

Let us begin, Senator, by pointing out to you that in The Evening Bulletin they printed two editorials dealing with this very problem, neither of which has been answered by any of the universities. I spoke about this on the floor and I have never received an answer from anyone here denying that it was so. The Philadelphia Inquirer also wrote editorials and news stories on this subject, and there also was no answer from any responsible person dealing with the universities that this was or was not true. An answer is all that I have requested.

I can point out to you, Senator, and show you that in the medical schools where a survey was made, year after year after year the same percentage of groupings are admitted. I think I might amaze you or surprise you when I tell you that the group most discriminated against in the medical schools is the Italian Catholic. They take less than one per cent of them for about a period of three or four years. Whenever there is a complaint by this group and they go after the school, the number usually jumps to five or eight per cent. It goes along this plateau for a period of two or three years and then it drops down again.

The Negro who lives in our community is also discriminated against. Very interestingly enough, in the medical schools in the city of Philadelphia, they found that they only took thirteen per cent of people of the Jewish faith,

year in and year out, in every single year.

If they are not accepting people on the basis of anything except ability, then it seems to me that these percentages they accept must be coincidental. I think all of use are too intelligent to believe this. I would not test your credulity by trying to make you believe, as they would have me believe, that this happens year after year quite by accident.

I would also like to point out to you that as the school population grows, and as this group flows over into the universities, these discriminatory practices in which they engage are going to become worse because, of necessity, as your groups become disproportionately larger or smaller, these different areas or quotas are going to be more operative.

I attended one of the hearings—although I was not a member of the committee but I was there, I guess, rather on an invitation of sufferance after awhile—when these college presidents met here and discussed this problem. Some of them even went on to say that they must do this thing in order to keep the social aspect of college life in a certain strata. They said they had to take in a certain number of boys and girls, and there was a desire on their part to have an equal number of each group so they would intermingle socially. If I ever heard a devious argument, that was it. There is no ascertaining by the universities that the same number of girls they accepted from any one group would intermingle or come in with those young men accepted from the same group. We find in our life generally, in the community, that people do intermingle, and regardless of what the groupings are, people are attracted to each other for various and numerous reasons. As a result of that, the basis of the religious aspect does not come into it until quite a late date in the game.

What are you doing? As I said earlier, you are punishing people here, or denying them an opportunity to educate themselves because they have not used the same wisdom in choosing their parents as someone else.

To quote my colleague Senator Seyler, whom I think put it so well yesterday, "How are you going to have a community of understanding in the face of arrogance?" The attitude the college and university people seem to take is: "We are going to run this to suit ourselves." That would be fine, and no one would care, except that what they are doing in preventing able people and young minds and people whom we will need in this Country from being educated, because the day is not too far distant when you are going to have to muster all of the people in this Country to fight this war of ideas which is constantly upon us and with us every day and every hour of the day. There is no way of doing that unless you put them in a competitive position. If you will look at some of the other universities which are operative in this world, they are getting the best brains. They are seeking the best minds and bringing them here.

Let me point out one other thing to you. We have, as one of the leading lights in our missile program, a gentleman by the name of Mr. von Braun, who was brought here from Germany. We must have thought something of this gentleman to bring him here, from a Country which we had just defeated in a large war, to head a program. It seems rather odd that we, ourselves, are not doing anything to educate our own people so they can

take such positions. It might very well be that Mr. von Braun might have been denied admission to any of these schools or universities.

I can show you, Senator,—and I encounter them every single day, being in political life—cases of young men who are turned down, not only because they might be of the Jewish faith or they might be Negroes, but there are also gentlemen of the Protestant faith who are turned down because the quota has been reached in these different schools. Although the universities couch it in very fine language, or in what is known as high class double talk or mumbo jumbo, the net result is the same. These people are denied admission.

I will say it to you this way. The studies made over the years show that a young Protestant boy, who has a B average, has a better than seventy or eighty per cent opportunity to get into medical school than has a young man of some other grouping who has a B average. This has been proven. There was given out here in the Senate last Session, and I believe again this Session, this study that was made. I would be very happy to show it to you, either privately or publicly, and if these people can say that this is not a fact, or if they will take a survey themselves and find that it is not a fact, I will publicly—the same way I am doing now—get up and say that it is not so. I do not think they are willing to put this to a test.

I suggest to you, sir, that they are well aware of the discriminatory practice they have been operating for years.

This is not governmental interference. This bill has nothing to do with punishment anymore than F.E.P.C. punishes anybody. It is a declaration of public policy that we are seeking by means of arbitration, because the way the bill has been watered down, at this stage of the game, all it is asking these people to do is to come forward and see if they can arbitrate this problem among themselves. No one wants to force any young man to go into college, or force any dean or any admissions officer to take Mr. X or Mr. Y into their university or their medical school. What we are saying is this: "If you are turning away somebody with a good mind or who lacks the ability, tell us why. Do not do it on the basis of his race, creed or color."

There may be some people who are organized or disorganized as a human being, or personality-wise, who should not be in a university. That is a different story. We are not forcing them to take the misfits in life either. However, by the same token, I do not think that you should shut the door on someone who has ability, because you never know which one might be another Louis Pasteur, a Jonas Salk or some of the other people who have done great things for our lives and made great contributions. It might be that the man who holds the answer to our problem of heart disease or chronic illnesses or cancer might be some young man on whom the door has been closed permanently and he cannot get in.

That is why many young men from our State have to travel to other States and other communities to go to school. It is not because they desire to do so, but many of them are driven because the universities or the schools to which they applied are already filled and they will not take anymore. If you have any difficulty finding that type of candidate, you come with me and I will be

very happy to introduce you to them, let you interview them, and then you can decide why they are being turned down.

As a matter of fact, only about two years ago, there was a young man who was graduated Phi Beta Kappa from the University of Pennsylvania, who was being denied admission to medical school. I can give you the details of that case, and there are many, many others like it. It was not because he was not a good student, because, I think we all agree, if a young man can attain Phi Beta Kappa status, he must be something of value. He was able to get through college without any difficulty. He even participated in extracurricular activities. However, I found out that the reason he was not accepted was that he had applied just a little too late and that quota was already filled. The school, when it realized that someone was going to make some public clamor about this problem, decided to take this young man. It was not because of any influence that I or anybody else used, because influence should not be necessary to get anyone in any school. It is not the province of anyone in public life to use any kind of influence to have anyone accepted in a school. That should be a province which is completely reserved for people in the field of education and the university, as such. However, if they will not meet their responsibility, or the need of the community, or if they do it capriciously or do it to suite their own purpose, then I think we, of necessity, must act. That is why this has come about. That is why people are interested in this matter. I am sure if this were not true, no one would waste their time trying to pass this legislation or bring it before you or even hold hearings.

Mr. ELLIOTT. Mr. President, I would start where Senator Weiner ended and say that I disagree with that last statement to the effect that: "I am sure if this were not true, there would not be people interested in his kind of legislation." I am sure that such a statement is not true. There is no quota system. There is no quota system in the colleges and universities of Pennsylvania. Senator Weiner knows it and I know it. He may say there is, but there is no quota system and there never has been. Colleges have no record nor are there any applicants who have ever said, or who have ever come to anybody—not to this Senate, the press, the Pennsylvania Association of Colleges and Universities, or anybody—and said that they could not gain admission into a college or university because of discriminatory practices. This just is not true.

We have heard a great deal of mention about the study of the Fellowship Commission, which I have and which I have read and studied myself. The first thing about this study is that it applied to medical schools and medical schools only. This medical school study, made by the Philadelphia Fellowship Commission, contains no evidence that institutions of higher education, other than the medical schools, were ever even consulted, let alone studied. They were never consulted concerning their reason for admission or nonadmission to their schools. All evidence is based on interviews with students who applied to medical graduate schools. And where were these schools? Were they all over the Commonwealth of Pennsylvania? No, they were only the medical schools in Philadelphia.

The study made by the Fellowship Commission deals only with pre med students graduated from the University

of Pennsylvania and the School of Liberal Arts of Temple University, and is related to their admission to medical schools. The study covers two schools out of all of the universities and colleges in Pennsylvania.

We heard some percentages given. Let us talk about figures. Of the 512 who applied for admission to medical schools, the final acceptance figures revealed this breakdown, not in percentages but in total number of acceptances: Out of the 512 who applied for admission to medical schools, the final acceptance figures reveal 192 Jewish students, eighty Protestant students, thirty-two Catholic students and three others. In percentage of acceptances out of the total number who applied, sixty-nine per cent of the Protestants were accepted, forty-three per cent of the Catholics and sixty-one per cent of the Jewish applicants. This study shows that eighty-one per cent of successful applicants were admitted to Philadelphia medical schools. Only nineteen per cent of successful applicants were admitted to schools outside of Pennsylvania. In as much as forty-four per cent of the applicants were filed with schools outside the Philadelphia area, it would seem that perhaps the problems of discrimination exists not in our Philadelphia schools, but in those outside of Pennsylvania, over which we have no jurisdiction.

It would be most unfortunate to enact legislation of this sort to correct an abuse that may not in fact, and does not in fact, exist in Pennsylvania, at least so far as the statistics reveal which I have quoted and used from the Philadelphia Fellowship Commission Study.

It must be pointed out that this study is extremely limited in its application. True, it covers a five year sampling, but it applies to students enrolled in but two universities which are located in a large metropolitan area. Inasmuch as the legislation here considered will apply to institutions all over the State, I cannot see justification for rules and regulations governing all of them on the basis of such limited statistical data.

Further, the study by the Philadelphia Fellowship Commission argues only that discriminatory practices allegedly exist in the medical school of Philadelphia. Simply because one finds an alleged abuse on the campuses of two institutions, we should not try to enact a law which intrudes on the rights of every institution of higher learning in Pennsylvania.

Mr. WEINER. Mr. President, I do not want to prolong this debate. However, I believe that one of the things that should be pointed out here is the fact that most of the universities and colleges do ask people their race, creed and color. Now if they are not interested in deciding who shall or shall not enter, I do not believe that information is necessary in picking applicants for entrance to the school. After a person has become a student at the university or the college, if they felt that information was required, they could then obtain it and use it for whatever purpose it might serve at that point. I think if you are going to take people into a school and your primary purpose is in educating them, you must get those who are most educable. The only way you can ascertain that is by the grades they receive and whether they have the character and personality to follow through. This can be ascertained by tests and by interviews. I do not believe that the person's race, creed or color should enter into it in any way, shape or form. The most im-

portant things are: Will he make a good student, will he undertake to study the program that is being laid out and will it mean something to him and to the community when he has completed that course? That is all that the universities or any college should ascertain.

If they are not, as you say, Senator, engaged in the quota system, and if they do not have the setup that people say they do and that I say they do, they should not be afraid of the enactment of this type of law, because this is not government interference at all. This is merely a statement of public policy. If they do not act and do not do the things that others say they are doing, they have nothing to fear. It is like the honest man. He has nothing to fear in the enactment of The Penal Code, because it will never apply to him in any way, shape or form, and he does not have to fear that it might apply to him. The natural safeguards will take over and prevent him from being harmed or, in this case, his university, his college or his activity from being harmed.

I think that is all with which we should concern ourselves here. I think to engage in any other type of attitude is a mere form of sophistry and one which makes a make-weight argument which does not gee with the particular facts as they exist.

Senator, if you feel that this thing does not exist, I would like to have you come to the city of Philadelphia and interview some young men and see some of the people who have suffered because of this quota system. If you then can feel that it does not exist, or does not take place, I will be very much surprised, and I will be willing to support it because I know that you are a fair-minded individual who would look at this matter with an open mind.

Mr. ELLIOTT. Mr. President, I want to thank the Senator for his invitation. I want to say to him publicly on the floor of this Senate that I accept it in the same spirit that it was offered. I shall join Senator Weiner. I shall go to Philadelphia, and I shall interview any student whom he cares to bring to me. I do this with the same sincerity with which I am sure the invitation was offered. I welcome the opportunity. Believe me, Senator, I do.

Secondly, I also want to agree with him that the primary purpose is to get the educable students. This is what the colleges and universities in the Commonwealth are trying to do, and they are crying out to all Pennsylvanians to help them do this through expansion of plant, expansion of program and expansion of curriculum so that they can admit more of the students who are not statistics, who are not data, but who are living people on this planet today, who are coming to them and who are coming to them in great hordes. In the educational field, they call it the great tidal wave of students which we know are coming because they are already here. We do need help in this direction, and we do want the educable students. However, agreeing with that, I would like to ask, Mr. President, if the Senator would allow himself to be interrogated.

The PRESIDING OFFICER. Will the gentleman allow himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. ELLIOTT. Mr. President, I should like to ask Senator Weiner how many admission forms or application blanks from how many different institutions—public,

private, church or whatever—in the Commonwealth of Pennsylvania has has read in the last year.

Mr. WEINER. Mr. President, I can answer that question. In the last year, it has not been very many.

Mr. ELLIOTT. Well, in the last three years.

Mr. WEINER. In the last three years, I have perused about, I would say, ten or fifteen, or something of that nature.

Mr. ELLIOTT. About ten?

Mr. WEINER. Yes, sir.

Mr. ELLIOTT. Mr. President, I thank the Senator. I would like to just point out to him that—without stating a figure which I am not sure is right because it varies, based on your interpretation of what one considers a college or university, but we all know that there are 100 or more of them in the Commonwealth—looking at ten application blanks or admission forms over the last three years seems to be insufficient evidence to make a statement that most of the institutions require an answer to the questions of race, color, and creed, when, in fact, Mr. President, most of the institutions, if any, do not require this information.

Mr. WEINER. Mr. President, I believe that the gentleman will agree with me that we do not have to take statistics or go through this great Commonwealth to find out that there is discrimination in housing. We do not have to also make any great surveys to determine that people do have certain prejudices in certain directions. It may be based on some fact or on no fact at all. For that reason, we have sought to correct the situations which, for some reason or other, cannot correct themselves. Maybe it is because we have not lived long enough with each other to do these different things.

The fact remains that the prejudices do exist. The fact that I have only perused perhaps ten or fifteen applications in the last three years is certainly no criteria, because I do not hold myself out as being an expert on the subject or knowing a great deal about it. I will say that of the ones I did peruse, every one of them had on them, in some phase or other, "religious affiliation" or "religious desire." What this has to do with whether a person can enter a university or not, I fail to see. I feel that it is pertinent after the young man or young woman is accepted, and I have no objection to it being stated on a personnel card, because it might be of some value at that point. However, I do not believe it should be asked at a time when an applicant is being considered. It is the same as considering someone for a job, and I do not see that it has any bearing. The only question should be: Is the man capable of filling the position?

I am glad the Senator accepts my invitation to come to Philadelphia. I will certainly try to make his visit very pleasant, even though we will be going over a very somber subject.

Mr. HAYS. Mr. President, I desire to interrogate the gentleman from Franklin, Senator Elliott.

The PRESIDING OFFICER. Will the gentleman from Franklin, Mr. Elliott, permit himself to be interrogated?

Mr. ELLIOTT. I will, Mr. President.

Mr. HAYS. Senator Elliott, these questions refer to the statement which you made concerning The Pennsylvania State University.

Mr. ELLIOTT. Yes, sir.

Mr. HAYS. Did I understand you correctly when you

said The Pennsylvania State University turned back \$1,000,000 to the Federal Government?

Mr. ELLIOTT. Mr. President, I made that statement on the basis of a news story I read within the last ten days. If I said "turned back," I might have been wrong in my interpretation of the story. However, I think Mr. President, in answer to that question, President Walker at least recommended that it not be accepted. I think even further, unless again I am mistaken, there is some question in the minds of some at the university who say perhaps the university should. That is the best answer I can give you.

Mr. HAYS. Is this in connection with the Federal loan funds?

Mr. ELLIOTT. Yes, the Federal loan funds.

Mr. HAYS. Thank you very much, Senator Elliott. I am sure Senator Elliott would desire me to correct his statement, because it is true that President Walker made a statement objecting to some of the considerations that the Federal Government has placed on the loan funds. However, at the same time, he did say that he would continue to accept the loan funds. Therefore, Penn State is not in the same category as Yale, Harvard and Oberlin, which I think the gentleman mentioned. I could see how his reading of the newspaper article might lead him to this conclusion, but this is not a matter of fact.

Mr. ELLIOTT. I just wanted to thank the Senator for his correction. I needed the correction, and I apologize to Doctor Eric Walker and to The Pennsylvania State University for my poor reading of the newspaper article.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative, and the bill was dropped from the Calendar.

HOUSE MESSAGE

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HB 2459

The Clerk of the House of Representatives being introduced, informed the Senate that the House has nonconcurred in amendments made by the Senate to **HB 2459**.

SENATE INSISTS UPON ITS AMENDMENTS NON- CONCURRED IN BY THE HOUSE TO **HB 2459**, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 2459**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WADE, KESSLER and RIPP, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 2459**.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEES OF CONFERENCE ON HB 2150 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table Report of Committee of Conference on **HB 2150**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 2150**, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

| | | | |
|--------------|----------------|----------|-------------------|
| Barr, | Hays, | Mullin, | Stevenson, |
| Berger, | Kalman, | Murray, | Stiefel, |
| Blass, | Keller, | Pechan, | Taylor, |
| Camel, | Kessler, | Propert, | Van Sant, |
| Chapman, | Koprivier, Jr. | Ripp, | Wade, |
| Confair, | Kromer, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mallory, | Sarra, | Watkins, |
| Ehrgood, | McCreesh, | Scott, | Whalley, |
| Elliott, | McGinnis, | Seyler, | Wolfe, |
| Flack, | McMenamin, | Shafer, | Fleming, |
| Harney, | Miller, | Silver, | Presiding Officer |

NAYS—3

| | | |
|-------|---------|---------|
| Lane, | Mahady, | Weiner, |
|-------|---------|---------|

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SB 1043 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table Report of Committee of Conference on **SB 1043**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **SB 1043**, entitled:

An Act amending the act of May 1, 1907 (P. L. 135), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery, and courts of quarter sessions of the peace, of this Commonwealth, as well as before commissioners, masters, and special masters in chancery, referees, examiners, auditors, and other officers; . . ." further providing for the giving of copies of notes of testimony in criminal cases.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Kalman, | Mullin, | Stevenson, |
| Berger, | Keller, | Murray, | Stiefel, |
| Blass, | Kessler, | Pechan, | Taylor, |
| Camiel, | Koprivier, Jr., | Propert, | Van Sant, |
| Chapman, | Kromer, | Ripp, | Wade, |
| Confair, | Lane, | Rooney, | Wagner, |
| DiSilvestro, | Madigan, | Ruth, | Walker, |
| Donolow, | Mahady, | Sarraf, | Watkins, |
| Ehrgood, | Mallery, | Scott, | Weiner, |
| Elliott, | McCreesh, | Seyler, | Whalley, |
| Flack, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | Silvert, | Wade, |
| Hays, | Miller, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 9:00 o'clock p.m.

The PRESIDING OFFICER. Are they any objections? The Chair hears no objection, and declares a recess of the Senate until 9:00 o'clock p.m.

AFTER RECESS

The PRESIDING OFFICER (George N. Wade) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGES

RESOLUTION RETURNING TO THE GOVERNOR
HB 1517

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, December 18, 1959.

Resolved (if the Senate concur), That **HB 1517**, which was recalled from the Governor on July 30, 1959 for the purpose of amendment, be returned to the Governor without amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 1355**.

HB 1355 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1355**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1355**, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), redefining the offense of shoplifting as larceny, a felony, and increasing penalties for such offense.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wade, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 1971**, which was placed on the Calendar.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO
HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 1108**.

SENATE INSISTS UPON ITS AMENDMENTS NON-
CONCURRED IN BY THE HOUSE TO **HB 1108**, AND
APPOINTS COMMITTEE OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its amendments to **HB 1108**, and that a Committee of Conference on the part of the Senate be appointed.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WAGNER, ELLIOTT and SEYLER, as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to **HB 1108**.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON ITS NONCONCURRENCE IN
AMENDMENTS TO **HB 2459**, AND APPOINTS
COMMITTEE ON CONFERENCE

He also informed the Senate that the House insists on its nonconcurrence in Senate amendments to **HB 2459**, and has appointed Messrs. COMER, LOPRESTI and H. P. MURRAY, as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two houses in relation to said bill.

AMENDMENTS TO HOUSE BILL, RECALLED FROM THE GOVERNOR

H also presented for concurrence **HB 1980**, said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

HB 1980, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1980**, and received unanimous consent for its immediate consideration.

SENATE NONCONCURS IN HOUSE AMENDMENTS TO **HB 1980, RECALLED FROM THE GOVERNOR**

Mr. BERGER. Mr. President, I move that the Senate do not concur in the amendments made by the House to **HB 1980**, recalled from the Governor.

Mr. RUTH. Mr. President, I second the motion. The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL, RECALLED FROM THE GOVERNOR

He also presented for concurrence **HB 2423**, said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

HB 2423, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 2423**, and received unanimous consent for its immediate consideration.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 2423**, recalled from the Governor.

Mr. RUTH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wade, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the

question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HB 2297, RECALLED FROM THE GOVERNOR, TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 2297**, and received unanimous consent for its immediate consideration.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM THE GOVERNOR

Mr. BERGER. Mr. President, I move that the Senate do concur in the amendments made by the House to **HB 2297**, recalled from the Governor.

Mr. PROPERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|-------------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wagner, |
| DiSilvestro, | Lane, | Rooney, | Walker, |
| Donolow, | Madigan, | Ruth, | Watkins, |
| Ehrgood, | Mahady, | Sarraf, | Weiner, |
| Elliott, | Mallery, | Scott, | Whalley, |
| Flack, | McCreesh, | Seyler, | Wolfe, |
| Fleming, | McGinnis, | Shafer, | Wade, |
| Harney, | McMenamin, | | Presiding Officer |

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO **SB 1250, RECALLED FROM THE GOVERNOR**

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **SB 1250**.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 203, 648, 853, 1057, 1597, 2118, 2323, 2386, 2402, 2430 and 2443**.

The PRESIDING OFFICER. The Chair now requests the President pro tempore to approach the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **SB 24,**

785, 882, 1066, **HB 1572, 1597, 2117, 2119, 2323, 2402, 2430** and 2443.

The **PRESIDENT** pro tempore. The Chair now returns the gavel to the gentleman from Cumberland, Senator Wade, to preside.

The **PRESIDING OFFICER** (George N. Wade) in the Chair.

SENATE CONCURRENT RESOLUTION

TIME OF NEXT MEETING

Mr. **BERGER** offered the following resolution, which was read, considered and adopted:

In the Senate, December 18, 1959.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, January 4, 1960, at ten o'clock A. M., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Monday, January 4, 1960, at twelve o'clock Noon, E. S. T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ON HB 1977 TAKEN FROM THE TABLE

Without objection, Mr. **BERGER** called from the table Report of Committee of Conference on **HB 1977**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. **BERGER**. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1977**, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes; * * * further regulating the dates for furnishing information as to offices to be filled, for filing and circulating nomination petitions and nomination papers and providing penalties.

Mr. **TAYLOR**. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,
Wade,
Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RENDITION OF "GALWAY BAY" BY SENATOR BERNARD B. MCGINNIS

The **PRESIDING OFFICER**. The Chair wishes to announce that Senator McGinnis has again volunteered to share his musical talent with those present. The Chair would invite the gentleman to the rostrum.

(Senator McGinnis approached the rostrum.)

Mr. **McGINNIS**. Mr. President, I have just come from the House of Representatives. I went over there to see what they were doing and their Majority Leader, Mr. McCann, invited me to the rostrum and I went down there and sang "Galway Bay." There were less people there than there are here. However, perhaps I can sing in an empty room as well as a crowded room.

(Rendition of "Galway Bay" by Senator McGinnis.)

Mr. **BERGER**. Mr. President, I would call the Chair remiss in the introduction of the Senator who just rendered that beautiful ballad, because he did not introduce him as the gentleman from Potter.

The **PRESIDING OFFICER**. The Chair apologizes to Senator McGinnis. At the suggestion of Senator Berger, who now represents Potter County, the Chair wishes to announce to the large audience here assembled that Senator McGinnis was born and raised in Potter County. Senator McGinnis' parents hailed from County Down, in Ireland. He has a rich, Irish background.

During the rather long time I have been privileged to be a Member of the Pennsylvania Legislature, I have always enjoyed hearing Senator McGinnis sing. He has unusual talents. As a matter of fact, I wonder whether it would not have been well for him to have entered the theatrical world or, perhaps, have gone to Hollywood. We will agree that he has very unusual talents. With it all, he is a fine and distinguished gentleman. We members of the General Assembly are all better for having him as a colleague, and richer for the experience of associating with him.

The Chair wishes to thank Senator McGinnis very much.

Would the President pro tempore again please approach the rostrum?

The **PRESIDENT** pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The President pro tempore (M. Harvey Taylor) in the presence of the Senate signed the following bills: **SB 1250, HB 203, 648, 853, 1057, 1355, 2118, 2297** and 2386.

The **PRESIDENT** pro tempore. The Chair now returns the gavel to the gentleman from Cumberland, Senator Wade, to preside.

The **PRESIDING OFFICER** (George N. Wade) in the Chair.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO **HB 1980**, RECALLED FROM THE GOVERNOR, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being intro-

duced, informed the Senate that the House insists upon its amendments nonconcurrent in by the Senate to **HB 1980**, recalled from the Governor, and has appointed Messrs. STONE, GAILEY and HOLLIDAY as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS NONCURRENCE IN
HOUSE AMENDMENTS TO **HB 1980**, RECALLED FROM
THE GOVERNOR, AND APPOINTS COMMITTEE
OF CONFERENCE

Mr. BERGER. Mr. President, I move that the Senate do insist upon its nonconcurrency in House amendments to **HB 1980**, recalled from the Governor, and that a Committee of Conference on the part of the Senate be appointed.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of Messrs. WHALLEY, SHAFER and MAHADY as a Committee of Conference on the part of the Senate to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to **HB 1980**.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT
RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled "Time of Next Meeting."

EXTENDING BEST WISHES FOR THE HOLIDAY
SEASON

Mr. BERGER. Mr. President, I want to say on behalf of all the Members of the Senate that we extend to each other, to all the members of the press, to all the officials and to all the employees, our very best wishes for a happy holiday season, and Merry Christmas to all, and to all a good night.

The PRESIDING OFFICER. Thank you very much, Senator Berger, for your good wishes.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Monday, January 4, 1960, at 10:00 o'clock a.m.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:32 o'clock p.m.

HOUSE OF REPRESENTATIVES

FRIDAY, December 18, 1959

The House met at 10:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious God, our Father in Heaven, Thou who touches mankind in all of life with Thy goodness and tender mercy, speak to our hearts and minds this day in the real spirit of Thy love. Enable each of us to see that it is not in the Holy Family alone, in the song of the Angelic Chorus on Bethlehem hills, in the adoration of the shepherds at the manger in the rude stable, or in the innkeeper who sheltered the Holy Family in a stable that we see the real spirit of Christmas; but grant us the vision to see in this Season Thy great love toward all mankind; and as we experience it in our own lives, use us to extend it to others too. In Thy dear Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Thursday, December 17, 1959 will be postponed until printed.

The Chair hears none.

The SPEAKER. The Chair requests the gentleman from Armstrong to come to the desk and preside temporarily.

The Chair will move to the floor of the House and ask to make a brief statement.

Mr. HELM IN THE CHAIR

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, were I gifted with the talent of framing winged words, designed to arouse temper and passion of the people, I would out Johnson a Johnson. And in the heat of my indignation, in the expression of my lamentations, I would out Sherman a Sherman.

I have before me a headline, "\$55 million school aid beaten by Senate G O P." I can only express my sentiments, by saying, "out, out damned spots." Because upon our record on the basis of our high resolves, on the basis of the duty that we all owe to the people of the Commonwealth, this is a damned spot.

We have failed, jointly, so far, in keeping the implied promises that we made to the people. One thing we can say, when we confront the bloodstained hopes that we entertained when we came here, we can say to those who work in another place, and we can say to the people of this Commonwealth, "thou canst not say we did it."

We have placed it in the power of those who serve with us the implements with which to achieve the accomplishments of our original purposes. And if those who work in another place have been unwilling to use those legislative facilities, there has been no counter-proposal. In a sense, those who have accomplished at least our temporary undoing in my mind live in the political tombs of the unshriven, and their names might well be placed upon the litany of the political dead. It is a business of

legislators to envision the broad field of the peoples needs. We have been faithless on every sector of the educational front. Perhaps we have been derelict in some particulars, in our failures to realize the real extent of the needs, but we have sent across the distance that separates us from those who work in another place, measures of vital interest to the cause of education, which have been ruthlessly destroyed. Surely, there must come a time and a place where we in this chamber can once again raise the banner of hope, beneath which those who desire progressive legislation in keeping with the needs of those who serve children of the state can rally, and if we fail doing that we become the companions of those who would serve the worthy cause of the Commonwealth through a policy of dilatory inaction and evasion.

INTERROGATION

Mr. A. W. JOHNSON asked and obtained unanimous consent to interrogate Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, I am unlearned in the law. I am a simple layman and hope that the Minority Leader will not endeavor to entangle me in the intricacies of that art in which he is so proficient.

Mr. A. W. JOHNSON. Mr. Speaker, we will keep within the confines of the Speaker's tremendous knowledge of education which he has just professed here in his speech.

Mr. ANDREWS. May I correct the gentleman? I did not profess a great knowledge of education. I simply expressed a feeling universal as to a need.

Mr. A. W. JOHNSON. Mr. Speaker, Mr. Andrews deplores the fact that the Senate will not put on the Governor's desk 1108 to the tune of \$55 million. Now, may I ask the gentleman, we will have a chance at the bill today. We could put it in the Conference Committee. If the bill is restored to \$55 million and it goes to the Governor, does the gentleman know whether the Governor will sign the bill?

Mr. ANDREWS. My impression would be that if the General Assembly sends to the Governor bills stipulating expenditures that have not been provided for by and through legislative action, that the Governor would veto the bill.

Mr. A. W. JOHNSON. Mr. Speaker, then I take it the gentleman's answer is it is obvious that according to the Governor's certified estimate of revenues there is no money in the taxes that we have passed for 1108, and therefore if it hits the Governor's desk it would be vetoed. Is that right?

Mr. ANDREWS. Might I ask the Minority Leader who he means by "we."

Mr. A. W. JOHNSON. I mean the General Assembly as a whole. Bills that have been signed by the Governor and are presently the law. Is there enough money from existing taxes to provide the funds for 1108 in its abbreviated form of \$16 million? Let us answer that first.

Mr. ANDREWS. I think there is money enough that can be scraped up from various sources to find perhaps the \$16 million, although there might be some doubt of that, but I think the \$16 million can be found.

Mr. A. W. JOHNSON. Mr. Speaker, may I ask a further question? Could we have assurance before the day is over that if we pass 1108 in its present form with \$16 million in it that the Governor would sign the bill?

Mr. ANDREWS. The gentleman is well informed as to the processes. It is not usual for a Governor to make a flat future prediction. I can say that the presumption is, and if my presumption is wrong, I ask the Majority Leader or the Chairman of the Appropriation Committee to correct me. My impression is that the \$16 million bill, in lieu of anything better, would in all human probability be signed.

If they want a more conclusive statement, I yield to either the Majority Leader or the Chairman of the Appropriations Committee.

Mr. A. W. JOHNSON. To restate the gentleman's point, there is a strong likelihood that the Governor would find that there is \$16 million and would sign 1108 in its present form or in a form that might be changed by the Conference Committee, but he would not sign 1108 to the tune of \$55 million without new taxes. Is that not correct?

Mr. ANDREWS. I have consulted with my experts who have said in view of the present return from the sales tax, on the basis of experience so far, there is not \$16 million available, even for this tattered and bemirched bill.

I merely want to call attention to the fact that there is a \$55 million potential pending in the other chamber.

Mr. A. W. JOHNSON. Mr. Speaker, then what the gentleman is actually doing is deploring the fact that the Senate is not passing the Personal Property Tax, is that not the gist of his argument today, that the Senate having turned down the \$55 million is doing it because there is no money there, and they have no desire to pass the Personal Property Taxes? Is that not correct?

Mr. ANDREWS. They have no desire, apparently, to pass the Personal Property Tax, or any other tax.

Mr. A. W. JOHNSON. So the Conference Committee today, if one is appointed on 1108, will have proper guidance, if they were to put the bill back to \$55 million it would invite a sure veto by the Governor, unless there is an accompanying tax program. Is that correct?

The ANDREWS. The gentleman well knows that that is correct.

The temper of the investigation leads me to request one more minute before we yield to the learned gentleman from McKean.

Mr. A. W. JOHNSON. Mr. Speaker, I hope the gentleman does not feel that I am ill-tempered, I am just trying to get guidance here because as I stated yesterday, the most explosive legislative matter that we have before us is 1108, and we are right smack on it.

Mr. ANDREWS. We do not want to get into explosives, but we do not want to sacrifice the needs of the children of this Commonwealth in order that wealth may take its stand and refuge behind the widows, the orphans and the poor, but that we cannot pass so and so which will impinge greatly upon the sources of wealth, because some widow's tax might be in danger.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, as I have repeatedly said from this microphone, the original Governor's budget did not include any extra money for education.

If you will go through the budget line by line, as you know, it increased the budget over Governor Leader by

some \$250 million, and it is now about \$210 or \$212 million. There was money for, of course the Health Department, increases all the way down the line, but no increases for the support of public schools other than the normal increase from mandates and the normal increase in teaching units. In other words, when the Governor made up his budget he ignored the requests of the various schools that they were in financial distress and would need some help from this General Assembly, not only for this current school year, but the next school year. That goes without saying. It had to be up to this General Assembly to pass a special bill to try and get the schools more money.

There is no one in this House but knows that the school districts back home have to have more money, and it is deplorable, I will grant you, that we are leaving the halls of this House with a possibility, as Mr. Andrews now states, that if we even put \$16 million on the Governor's desk that will invite a veto. If that is the case, there is some question whether today we should do a vain thing by putting anything on the Governor's desk unless there is a tax program. As we have repeatedly said here, the tax program that is over in the Senate is a tax on personal property. We all know what it does. We know that it only slightly affects the people in Philadelphia, and I hope I am correct now, the people of Pittsburgh not at all. In other words, the people in the rest of the Commonwealth will be asked to foot the \$55 million.

I know Mr. Andrews says, we are going to say it is a tax on widows and orphans. Well, yes, it is. It is a tax on the pensioners, a tax on the thrifty, on the small person who has been able to accumulate a share of stock or two and they are trying to plan on that money for their old age. In other words, if a fellow makes a dollar interest from a stock, he would have to give the government about twenty-five cents of it under this Personal Property Tax. I can see the reluctance of the state Senate to pass it. You say that it is a tax on the wealthy. The wealthy people in Pennsylvania have their stock in tax exempt securities. You know that any stock of a Pennsylvania corporation that is paying the Capital Stock Tax of the state of Pennsylvania would not be subject to the Personal Property Tax. That goes for United States Steel, Chrysler, and all the big corporations that have branches here in Pennsylvania, their stock is tax free. Therefore, smart people put their money into these exempt securities, and it would just add up to the fact that the fellow who really does not know what is going on and is a small person, is the fellow that would end up paying that. It is about a 25 percent income tax in many cases. So, I can see the reluctance of the other place not to pass that tax bill. It is very obvious that they would not pass it under those circumstances.

We have known for months that the Senators have said repeatedly, we will not pass this bill. Therefore, no other tax program has been sent to the Senate for them to work on. Here we are now in the dying days of the Session, and you are deploring the fact that there is no money for the schools because the Senate will not pass the Personal Property Tax. I called it a squeeze play the other day, and that it just exactly and simply what it is—a squeeze play.

I asked our Joint State Government Commission the

other day to give us a realistic appraisal of revenues from existing taxes as compared with the estimates from the Department of Revenue. Our Joint State Government Commission, and I am not stating these figures with any purpose—in fact I do not want the Governor to say, well, that is your body over there and it would be predudiced—but, they feel that conservatively some \$34 million more money will come in from existing taxes.

The Associated Press the other day announced that the holiday business all over the nation is the greatest in history; it is an unprecedented holiday business. The take from the sales tax is going to be tremendous. The Governor's office could well use the \$34 million increase in revenues, as stated by the Joint State Government Commission, and can sign a bill for \$34 million; give the schools \$17 million this year and \$17 million the next year.

If we put a bill like that on the Governor's desk, suppose he signs it, suppose we will be here next Session and we find that the money is not coming in, then that would be an obligation on all of us to provide money to run our schools. But, I think the Governor's office, based on figures that he gets from the Joint State Government Commission, and he can get the same figures from the Chamber of Commerce, could honestly sign a bill with about \$35 million in it, instead of saying, "well, unless this terrible other place passes that iniquitous Personal Property Tax the schools will not get a dime." Well, we will just have to stand before the bar of public opinion on that.

I take it, from what Mr. Andrews says, \$16 million is not available. I hope we get 1108 over here right away so that we can get a Conference Committee appointed. I think we should sit down with the Governor's office and something should be done here today, not leave this hall in rancor and have every school district in Pennsylvania disappointed and disheartened by what this General Assembly has failed to do.

Mr. McCANN. Mr. Speaker, I would just like to put something into the record here that I think it is time the Members of this House knew.

We have listened with great intent this morning as Mr. Johnson spoke. Today I am going to insert something into the record that has bothered me for quite some time. You heard him say, the Joint State Government Commission says, the Joint State Government Commission reports, they have made such reports. I am going to put into the record now that each of the last three reports in order, of the Joint State Government Commission as to the estimated revenue yield were inaccurate and the records prove it.

I am a little disturbed at the Joint State Government Commission's estimates, for they are always, for some reason, in the higher revenue yield. This was discussed at the Conference Committee at which the Joint State Government Commission personnel were present, along with the Pennsylvania Chamber of Commerce, the Pennsylvania Economy League, the Department of Revenue and a representative of the Auditor General's division of the Commonwealth of Pennsylvania. If they have been so wrong in the past, I assume they are inaccurate again.

To make the record absolutely clear as of the present date, I believe the sales tax yield is \$4 million behind the estimate as of last week. We are not really disturbed

at that. We have been through a pretty rough steel strike, but it is \$4 million behind the estimated yield at this point.

Where this extra \$34 million is going to come from, I do not know, but this would be inflating the revenue yield and this is something that is certainly not the intention of this Administration. I have heard you say, and I have said many times, fiscal responsibility is always our responsibility, as well as the Governor's. We should have honest, accurate revenue estimates, revenue yields. We will soon be on a yearly basis where it will not be as difficult, but I bring to the attention of this House that the conferees, sitting on the entire multi-million dollar appropriation bills, had all these people in front of them, and I think it should also be on the record they were incorrect. The Joint State Government Commission was incorrect in their yield three times in a row. I can only assume they will be inaccurate again.

INTERROGATION

Mr. BELL asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. BELL. Mr. Speaker, I have just heard statements that the Joint State Government Commission's estimates are inaccurate.

Mr. McCANN. I said they were inaccurate.

Mr. BELL. Does the Majority Leader know where we can get more accurate estimates?

Mr. McCANN. Yes, Mr. Speaker.

Mr. BELL. Where?

Mr. McCANN. In each of the years I speak of, the same three organizations submitted their revenue estimates, the Pennsylvania Economy League, the Pennsylvania State Chamber of Commerce, the Joint State Government Commission, and the official estimates of the Department of Revenue, they were the most accurate. They were not accurate in a true sense, but the Department of Revenue, was by far the closest to being accurate of all the others that are on file of record.

Mr. BELL. Mr. Speaker, I am glad the Majority Leader mentioned the Department of Revenue. Is the Majority Leader familiar with the estimates submitted by the Department of Revenue in June 1957 to the other place?

Mr. McCANN. I am not, but I assume it is a matter of record of the official estimate submitted to the Governor by the Secretary of Revenue, over the Secretary's signature, in which the law requires that it posted and given in writing for the Governor to place his official estimates of revenue yield and that would be, I assume, what you are talking about, is that right?

Mr. BELL. That is right. To refresh the gentleman's recollection, if he goes in to the June 1957 Journal of the other place, he will find the other place insisted that the estimate be countersigned by the Governor of Pennsylvania.

Now, Mr. Speaker, how accurate was that estimate?

Mr. McCANN. It was not exactly accurate.

Mr. BELL. How many million dollars—

Mr. McCANN. It was more accurate than the other.

Mr. BELL. How many million dollars was it off?

Mr. McCANN. I can not tell you, but we can bring it out in just a few minutes, it is just a matter of getting the record. It is just the same as I am saying to you that

this is an official memorandum in writing that the revenue yield it is more inaccurate, if that is proper English, than the Department of Revenue's estimates.

Mr. BELL. Mr. Speaker, to refresh the Majority Leader's memory, was not the Department of Revenue's estimate proven to be over \$150 million off? Or else why was the deficit \$174 million that faced this General Assembly when we came into session?

Mr. McCANN. Mr. Speaker, I do not believe that is the correct figure, but if he believes it was \$150 million, that is his opinion. I believe there were some deficits in Public Assistance and a few other items that were not a part of Revenue estimates yield in taxation, sir.

Mr. BELL. Mr. Speaker, we just heard another heated discourse, and I think everybody in this House agrees that nobody can accurately forecast the revenues coming into the Commonwealth when you have items like steel strikes and recessions. I think that attack on the Joint State Government Commission's estimates was entirely unfair.

Mr. McCANN. Mr. Speaker, I do not believe they are unfair. I believe that it should be a matter of record for all Members of this House. I think it would only take a matter of a few minutes for Mr. Baker Royer, the Chairman of the Joint State Government Commission, a Member of our House—I have the copies of the letter that were used—that were sent to the Honorable Albert Readinger as Leader in 1955, letters that were sent to Honorable Albert Johnson in 1957. This was as they had requested, for the Joint State Government Commission to give them the yield in writing. They did. They put it in writing. We used it in the conference. Would that not be a matter of official record and were they not incorrect? The answer would be they were incorrect. They were more incorrect than other yield estimates. That is no attack on them. My point is that the \$34 million that is estimated to be yielded by the Joint State Government Commission reports in revenue is inaccurate, and the \$34 million will not yield in this biennium and its sales tax now is \$4 million behind our estimate at this period.

INTERROGATION

Mr. POLEN asked and obtained unanimous consent to interrogate Mr. A. W. Johnson.

Mr. POLEN. Mr. Speaker, I am not so much concerned with the estimates of the past as I am of the future.

I was rather intrigued about that \$34 million, and I was wondering if the gentleman could give me the source as to what estimates and what particular yields were going to be raised to provide the \$34 million.

Mr. A. W. JOHNSON. I have the report here. I presumed that this was pretty generally circulated. I will let you have my copy if you care to have some Thermofaxes made of it.

Mr. POLEN. I would like to ask the gentleman if it is the corporate net income tax, the entire \$34 million.

Mr. A. W. JOHNSON. The yield from the corporate net income tax is figured by the Joint State Government Commission at \$334 million which compared to \$315 million by the Department of Revenue.

Mr. POLEN. Mr. Speaker, that is the information that Dr. Wueller of the Joint State Government Commission gave me, but now I am very much interested in

picking up the other \$13 million. What were those increases?

Mr. A. W. JOHNSON. They are small increases all the way down the line, and for your information, the return from the sales tax is just \$700,000 more on the Joint State Government Commission's figure than the Department of Revenue. The others are small increases all the way down the line.

Mr. POLEN. Mr. Speaker, at the conference with Dr. Wueller, where we discussed this very situation, the only difference that there was except for very small amounts would not approximate anywhere near \$13 million within the corporate net income tax. We were very close in all the other estimates, and what I am wondering about is where we pick up that \$13 million. As the gentleman has kindly offered to give me his figures, I will look them over, but I want to say I thank the gentleman for the interrogation.

I want to say that I have been in daily touch regarding estimates and we feel that the estimates we are using now, based upon the taxes that are coming in, and the way the sales tax is running, that they are certainly not to be upped. If we were to balance this budget by arbitrarily raising our revenues \$34 million we would be doing a great disservice to the people of Pennsylvania.

If there is one thing this Administration stands for it is fiscal responsibility and that is that we are not going to up arbitrarily or unrealistically revenue estimates to balance the budget for any purpose. I will be glad to review these estimates and see if they agree in any way, and report back to this House. Certainly, if there is \$34 million available we want to use it, but if it is not available we are not going to use it.

PERMISSION TO ADDRESS HOUSE

Mr. ISAACS asked and obtained unanimous consent to address the House.

Mr. Speaker, I listened intently to the Speaker of this House from the floor this morning, trying to impugn another body for murdering the school subsidy program.

I am going to make a few remarks here, and everything I am going to say can be substantiated by the Legislative Journal of the year 1959.

First, we had two bills before this House, 2354 and 1108. I am sure all of us recall that 2354 was reported from the Appropriations Committee carrying an appropriation of \$70 million. We have just heard the Chairman of the Appropriations Committee, the gentleman from Washington, discussing fiscal responsibilities. He allowed that bill to be reported to the floor and admitted, under interrogation on the floor of this House there was not sufficient money to pay for it, to which the Majority Leader objected.

After 2354 was defeated, House Bill 1108 was reported from the Appropriations Committee. In the interim someone got smart in Committee and they reduced that appropriation to \$55 million from \$70 million to fit the Personal Property Tax.

It has been stated on the floor of this House, it is agreed, that the city of Philadelphia has levied four additional mills for education and the city of Pittsburgh, six additional mills for education. But where does that money go? It goes into their own school treasuries and is spent at the local level. The six mills called for under this

Personal Property Tax, the six additional mills, will come from the other 65 counties and the county of Allegheny outside the city of Pittsburgh, and it goes into the General Fund.

Now what is the net result? It is that the county of Allegheny, other than the city of Pittsburgh, and the other 65 counties in the Commonwealth are picking up the checks and are paying the difference that the city of Pittsburgh and the city or county of Philadelphia, which is the same, are not paying into the General Fund.

I said before and I say again, anyone from other than the city of Pittsburgh or the county of Philadelphia who votes for a bill of this kind, or would support it, in my opinion, should see a psychiatrist. I charge the administration and the administration in this House has been playing politics with the school subsidies, and you do not have to go any further than the Legislative Journal and analyze it to prove it.

Mr. POLEN. Mr. Speaker, I would just like to straighten out the record on House Bill 2354, which the gentleman from Delaware, Mr. Isaacs, state carried a \$70 million appropriation.

I would like to state there was no appropriation contained in that bill. It is true that House Bill 1108 was amended to \$55 million, in keeping with the policy we established that we would not report bills in excess of tax revenue measures which we have passed in this House. For that reason I did reduce it to \$55 million, but there was no appropriation in 2354.

INTERROGATION

Mr. ISAACS asked and obtained unanimous consent to interrogate Mr. Polen.

Mr. Speaker, did the gentleman from Washington, in answer to a question, posed by this speaker on the floor of this House, not state that House Bill 2354 would cost \$70 million?

Mr. POLEN. Mr. Speaker, I did so state.

Mr. ISAACS. That is all, Mr. Speaker.

INTERROGATION

Mr. A. W. JOHNSON asked and obtained unanimous consent to interrogate the Majority Leader, Mr. McCann.

Mr. Speaker, this is a very serious matter that we are considering. So we will understand, we are going to caucus pretty soon, do I understand that if 1108 with \$16 million in it goes to the Governor's desk, he will of necessity have to veto the bill because there is no tax revenue available to provide the \$16 million?

Mr. McCANN. Mr. Speaker, I have no right to say this on the part of the Governor, but it is my understanding of a general policy that we agreed to, and if that general policy is carried out, the answer would be that he would be vetoing this bill unless he had revenue measures or revenue yield, either one, to pay for it, sir. In other words, you are saying, \$16 million.

You are going to ask me if he would sign the bill and, as in some cases, up the revenue a little so that it could be squeezed in, since it is a small amount. I cannot answer, but I believe he would veto the bill.

Mr. A. W. JOHNSON. Well, Mr. McCann, by reason of the importance of the matter and our impending caucus, could you ascertain from the Governor's office, from the

Department of Revenue, just what the status is so we can be guided in our deliberations when we go to caucus?

Mr. McCANN. I shall be more than pleased to do that, sir, and report to you then. We will be going to caucus in about fifteen or twenty minutes. Right, sir?

Mr. A. W. JOHNSON. That is correct.

Mr. Speaker, I have just one brief statement I would like to make.

Just to keep the record straight, the matter that Mr. Bell referred to, I happened to be on the Conference Committee when the Department of Revenue, the Secretary, Gerald Gleason, and the Budget Secretary, then Mr. Bradley, gave us a new certificate in June of 1957 as to revenue estimates.

As I recall, in order that we would grant Governor Leader \$70-some million more appropriations, we have signed letters by Gleason and Bradley, that the revenues would have been \$70-some million, I believe, more than even was estimated the day before. I believe Mr. Polen has those same Thermofax copies in his files that we have in our files. I believe he was not here then, but they are in the files and you can find them. When you are talking about who estimated what and who went overboard on estimates you had better dig out those figures revealed by Bradley and Gleason in June of 1957, about 3:00 o'clock in the morning, in Conference Committee.

Mr. POLEN. Mr. Speaker, those letters are a matter of record. But I want to say here and now that no such letter will be issued unless the revenues are there to cover them.

My purpose in taking the microphone at this time was to ask the gentleman from McKean if he knows how 1108 has been amended in the Senate, as to what the present status of it is? If he is going to caucus on it, I thought I might enlighten him, unless he already knows.

Mr. A. W. JOHNSON. We would appreciate the information. We understood it would make the \$16 million payable this school year, rather than next.

Mr. POLEN. Mr. Speaker, the bill is not in print, but I secured a copy of the amendments from the Senate and worked them up on the bill. I find, in effect, what they did is, they made the \$6,200 maximum subsidy base effective for the school year '58-'59, which is the previous school year and which has already been paid. So, if it would be adopted at this time, the amount that would be due the school districts would be immediately due and the extension of the \$6,200 for future years was stricken out and reduced to the \$5,800.

In other words, as I read the bill now, Mr. Johnson, it would provide that for the '58-'59 school year the subsidy would be increased approximately \$16 million, and then the bill would go back for this school year and future school years to \$5,800 maximum school subsidy basis.

Mr. HARVEY. Mr. Speaker, I hate to bicker with Mr. Bell. He is a very good friend of mine, but he mentioned about the \$157 million deficit of Governor Leader. With all due respect to my friends on the other side of the aisle, they have made quite some capital of that all through this Session. If they had taken out the amount of money that the revenue was figured in the recession, Governor Leader probably would have ended up with only a \$50 million deficit.

We run into the same situation in this Session, where

the sales tax is falling short on account of the steel strike. These are both projects that nobody can foresee.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House or Representatives as follows:

In the House of Representatives, December 16, 1959

Resolved (if the Senate concur), that House Bill No. 1980, Printer's No. 2079, entitled "An act amending the act of June 3, 1937 (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' further regulating the marking and counting of ballots," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House or Representatives as follows:

In the House of Representatives, December 17, 1959.

Resolved (if the Senate concur), that House Bill No. 2423, Printer's No. 2068, entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council Inc. Boy Scouts of America" be recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF VOTE

Mr. PRICE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. STONE. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Mifflin, Mr. Price vote on the final passage of this bill?

Mr. PRICE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Beaver, Mr. Stone vote on the final passage of this bill?

Mr. STONE. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. PRICE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PRICE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend the title, page 1, lines 4 and 5 of the title by striking out "to the Juniata Valley Council" in line 4, and all of line 5.

Amend Section 1, page 2, lines 4 and 5, by striking out "to the Juniata Valley Council Inc. Boy Scouts of America" in line 4, and "for a consideration of one dollar (\$1)" in line 5.

Amend Section 1, page 4, lines 4 to 11 by striking out "And further provided That" in line 4, and all of lines 5 to 11.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question.

Will the House agree to the amendments-

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 1980 FROM GOVERNOR

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 1980, Printer's No. 2079, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. STONE. Mr. Speaker, I move that the vote by which this bill passed be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Beaver, Mr. Stone vote on the final passage of this bill?

Mr. STONE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER pro tempore. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. STONE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Bill, page 5, by inserting between lines 18 and 19:

Section 1003. Form of Official Ballot.—

Amend Sec. 2, page 6, lines 5 and 6 by striking out "or check (V) mark."

Amend Sec. 2, page 6, line 6 by inserting after "(X)" "or check (V) mark."

Amend Sec. 3 (Sec. 1215), page 9, lines 19 and 20 by striking out "method of marking ballots and depositing same in districts in which ballots are used (a) in" and inserting: "Method of Marking Ballots and Depositing Same in Districts in Which Ballots are used.—(a) In."

Amend Sec. 3 (Sec. 1215), page 10, line 5 by striking out "he" and inserting: "He."

Amend Sec. 3 (Sec. 1215), page 10, line 13 by striking out "he" and inserting: "He."

Amend Sec. 3 (Sec. 1215), page 10, line 19 by striking out "if" and inserting: "If."

Amend Sec. 3 (Sec. 1215), page 11, line 17 by striking out "if" and inserting: "If."

Amend Sec. 3 (Sec. 1215), page 12, line 1 by striking out "president and vice-president" and inserting: "President and Vice-President."

Amend Sec. 3 (Sec. 1215), page 12, line 1 by striking out "if" and inserting: "If."

Amend Sec. 3 (Sec. 1215), page 12, line 9 by striking out "presidential electors" in and inserting: "Presidential Electors." In

Amend Sec. 3 (Sec. 1215), page 12, lines 12 to 14 by striking out "RE-" in line 12, all of line 13 and "BER" in line 14.

Amend Sec. 3 (Sec. 1215), page 12, line 16 by striking out the bracket before "exhibit."

Amend Sec. 3 (Sec. 1215), page 12, line 20 by striking out "if" and inserting: "If"

Amend Sec. 3 (Sec. 1215), page 12, line 20 by striking out the bracket after "the," at end of line.

Amend Sec. 3 (Sec. 1215), page 13, lines 1 and 2 by striking out the brackets before "elector" in line 1 and after "shall" in line 2.

Amend Sec. 3 (Sec. 1215), page 13, line 3 by striking out "any" where it appears the first time and inserting: "Any"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 297.

An Act amending section 650 act of June 24, 1939 (P. L. 872) entitled "The Penal Code" by changing penalties relating to pawnbrokers dealing with minors under the age of twenty-one years.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 927.

An Act amending the act of May 23, 1945 (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" defining years of service to include time spent in the armed forces of the United States upon certain payments.

HOUSE BILL No. 1142.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for construction contracts.

HOUSE BILL No. 1584.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 0.152 acres of land situate in Reed Township Dauphin County.

HOUSE BILL No. 1851.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32) changing the provisions relating to the limitations on size of certain vehicles.

HOUSE BILL No. 1852.

An Act amending "The Vehicle Code" approved April 29, 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment and fixing fees for such permits.

HOUSE BILL No. 2048.

An Act amending the act of May 23, 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection * * *" defining "receipts" to exclude certain wholesale dealers in tobacco and tobacco products and making such definitions retroactive.

HOUSE BILL No. 2397.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing homebound instruction for children confined in detention homes.

HOUSE BILL No. 2399.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) increasing penalties for throwing materials from vehicles or tractors.

HOUSE BILL No. 2463.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1971, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.

And has appointed Messrs. Scott, Fleming and McGinnis a Committee of Conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 124

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, October 19, 1959.

Installation of fishways at dams in Susquehanna River with cooperation of State of Maryland.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, December 17, 1959.

Admiral Robert Lee Dennison, United States Navy, of Warren, Pennsylvania, has been designated by President Eisenhower to assume the duties of Commander of the North Atlantic Treaty Naval Forces, and Commander-in-Chief of the United States Atlantic Fleet.

Admiral Dennison, a four-star admiral, is a veteran policy planner of the United States Navy. Graduated from the United States Naval Academy in 1923, early in his career he qualified for and entered the submarine service. During World War II, he won a Legion of Merit award for his role in the seizure and occupation of Attu and Kiska Islands in the Aleutians.

Later, for two years, he served as Assistant Chief of Naval Operations for Political-Military Affairs. For excellence in this assignment, he was awarded a Gold Star in lieu of a second Legion of Merit.

From 1948 until 1953, he served as naval aid to President Truman, and then commanded Cruiser Division Four in the Atlantic. Thereafter, he served as Deputy Chief of Naval Operations for Plans and Policy until becoming Commander-in-Chief of Naval Forces, Eastern Atlantic and Mediterranean.

All in all, Admiral Dennison is an important figure among the leading maritime powers in the field of strategic planning. He has become a world figure in naval affairs; therefore, be it

Resolved, (the Senate concurring), That the Commonwealth of Pennsylvania is proud of the high military character and the exceptional accomplishments in the naval profession of a most distinguished son; and be it further

Resolved, That the General Assembly extend sincere congratulations to Admiral Dennison upon his assignment to further responsibilities of the highest import; and be it further

Resolved, That a copy of this resolution be forwarded to Admiral Dennison.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 762.

An Act amending the act of June 25, 1913 (P. L. 555) entitled "An act providing for the regulation of dams or other structures * * * projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth * * *" authorizing the repair or replacement of the roadway dock or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

HOUSE BILL No. 1735.

An Act amending "The Administrative Code of 1929" approved April 1, 1929 (P. L. 177) adding to the Department of Mines and Mineral Industries the Oil and Gas Inspectors Examining Board.

HOUSE BILL No. 1740.

An Act providing for creation of an Oil and Gas Inspectors Examining Board in the Department of Mines and Mineral Industries conferring powers and imposing duties on the board and conferring powers and imposing duties in connection therewith upon the Governor providing for the qualifications examination appointment term of office removal and salaries of Oil and Gas Inspectors and providing penalties.

HOUSE BILL No. 1909.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the provision relating to trapping by nonresidents.

HOUSE BILL No. 2361.

An Act amending the "Public School Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 77) making technical changes and clarifying language.

HOUSE BILL No. 2368.

An Act amending the act of June 25, 1947 (P. L. 971) entitled "An act relating to the annual salaries and compensation of certain county officers of counties of the eighth class" increasing the compensation of auditors.

HOUSE BILL No. 2400.

An Act amending the act of June 1, 1945 (P. L. 1242) entitled "State Highway Law" requiring the Department of Highways to maintain receptacles for trash and litter along State highways.

HOUSE BILL No. 2431.

An Act amending the "State Employees' Retirement Code of 1959" approved June 1, 1959 (Act No. 78) further providing for credit for time spent by an employee of the Commonwealth as an employee of the United States Government.

HOUSE BILL No. 2449.

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FETTEROLF asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTION CONGRATULATIONS

Messrs. FETTEROLF, R. P. JOHNSON, Mrs. KERNAGHAN, Messrs. ISAACS, ODORISIO, BELL and ASHTON asked and obtained unanimous consent to offer a resolution, which was read, considered and unanimously adopted by a rising vote as follows:

In the House of Representatives, December 18, 1959

The House of Representatives is indeed very fortunate to have as one of its members a person recognized as a leading choral director.

During his first term as a Member of this House (1957-1958), Dr. Clyde R. Dengler became Director of the House Choral Group. Under his direction the group participated in memorial services, celebrations of Members' birthdays, holiday observances and provided entertainment in House functions.

Dr. Dengler deserves to be congratulated for his achievements as Director of the House of Representatives' Choral Group and we, the Members of the House of Representatives, are deeply indebted to Dr. Dengler for his tireless efforts in working with the choral group and the great pleasure afforded us when entertained by the group under his great leadership; therefore be it

Resolved, That the House of Representatives congratulates the Gentleman from Delaware County and shows its appreciation by a rising vote of thanks; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Clyde R. Dengler.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Dengler.

Mr. DENGLER. Mr. Chairman, I want to thank the Members of the House and Mr. Fetterolf in particular for this very signal honor.

I want to assure you that every minute that I have spent in rehearsal with the Legislative chorus with the members of the stenographic group and the lady Members of our House have been probably the most pleasurable in my entire rehearsal experience. I assure you that what I have done I have enjoyed very much. If we had the time I would like to say this is the season of the year when we have these marvelous high school groups singing for us here in the rotunda and all over America.

We have the finest music produced by high school people, and I hope we can pass some kind of resolution in the not too distant future congratulating these people and showing our radio and television stations that this so-called popular music that disc jockeys and producers are giving us is not the type of music our young people really like. Our young people like the best music, and we have been doing them a signal disservice by this continuous drumming and drumming and drumming on all the stations. I am very much pleased that we have finally seen the light and are starting to give them something really good.

When the Philadelphia Orchestra and the Mormon Choir collaborate and give us the stirring Battle Hymn of the Republic, which was sung on Tuesday by our Legislative chorus, then I think we are beginning to do the right thing for our young people so far as television and radio is concerned.

We talked yesterday about juvenile delinquency. I think the radio and television people have to share the responsibility because they have continuously given us poor music and have given us music that is in poor taste in very many cases.

I want to again thank the members of the Legislative Chorus for helping to raise our music standards. Thank you very much.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I offer a resolution to require and encourage the sale of Pennsylvania apples and other Pennsylvania agricultural products, by the state government's personnel and others when they were selling such products on state property. I ask permission to add two additional sponsors.

The SPEAKER pro tempore. The gentleman only having a total of three sponsors does not require permission. The gentleman will send his resolution to the desk. This is not a privileged resolution. It will be filed with the Clerk under the rules of the House.

RESOLUTION

Mr. WORLEY offered a resolution which was filed with the Clerk under the Rules.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, Before we go to caucus we would like to call up on page 1, Bills on Final Passage, Senate Bill 413, Printer's Number 1666, and Mr. Speaker, the reason we would like to do this is because the bill is going to go to a Conference Committee so it can be done, and there is no other way but to pass it right now and have Mr. Stimmel, Mr. Hamilton, Mr. Polen, the Conference Committee, go to work on it, actually as the bill is written there are many of us who have no use for the bill, but I ask that you vote aye for the bill to insure its passage, so it can go to the Conference Committee and then we can vote on the bill as we want.

That is Senate Bill 413, Printer's No. 1666, and the Conference Committee will be Mr. Hamilton, Mr. Stimmel, Mr. Polen. The Senate Conference Committee is ready. Then we will vote on the bill. There is no other way to do it but to pass the bill now. So, therefore, I ask that you vote aye on the bill.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 413, entitled:

An Act providing for group life insurance for State employes establishing a schedule providing for payment providing for reduction of insurance upon retirement and authorizing the Secretary of the Department of Property and Supplies to act as exclusive broker for the purpose of contracting for insurance.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—156

| | | | |
|------------|-------------------|-------------|------------|
| Anderson, | Gallagher, | Lutty, | Riley, |
| Arlene, | Garlock, | McCandless, | Rovansek, |
| Ashton, | Goldstein, M. H., | McCann, | Royer, |
| Balthaser, | Goodrich, | McCormack, | Rudisill, |
| Barton, | Gramlich, | McDonald, | Sakulsky, |
| Bell, | Guthrie, | Machmer, | Scarcelli, |

| | | | |
|------------|-----------------|---------------------|-----------------------|
| Bonner, | Hamilton, | Mahan, | Schaaf, |
| Boris, | Heavey, | Markley, | Schuster, |
| Bower, | Heffner, | Meholchick, | Schwartz, |
| Bowman, | Helm, | Mihm, | Seltzer, |
| Branca, | Henzel, | Miller, B. Z., | Shupnik, |
| Breth, | Hocker, | Miller, H. G., | Snider, |
| Brown, | Holliday, | Mills, | Stank, |
| Buchanan, | Holt, | Muldowney, | Steckel, |
| Capano, | Horst, | Mullen, | Stewart, |
| Cianfrani, | Irvis, | Munley, | Stimmel, |
| Cioffi, | Isaacs, | Murphy, A. J., Jr., | Stone, |
| Comer, | Jim, | Murray, H. P., | Stoner, |
| Curwood, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Davis, | Johnson, R., | Musto, | Taylor, |
| Dengler, | Jones, F. R., | Needham, | Thompson, |
| Dennison, | Kamyk, | Nelson, | Tompkins, |
| Devlin, | Kee, | O'Donnell, J. P., | Trusio, |
| Dougherty, | Kelser, | Odorisio, | Varallo, |
| Edwards, | Kernaghan, | Ogilvie, | Varnier, |
| Ellberg, | Kessler, | O'Neil, | Verona, |
| Eshback, | Knecht, | Parlante, | Wall, |
| Eshleman, | Kooker, | Pashley, | Wargo, |
| Farabaugh, | Kornick, | Perry, H. H., | Welsh, |
| Fetterolf, | Korns, | Perry, P. E., | Wescott, |
| Filo, | Kovolenko, | Petrosky, | Wheeler, |
| Fineman, | Kubitsky, | Polaski, | Williams, A. D., Jr., |
| Floyd, | Lamb, | Polen, | Williams, E. S., |
| Flynn, | Lee, K. B., | Prendergast, | Wood, |
| Foerster, | Leonard, | Price, | Worley, |
| Frank, | Light, | Pursley, | Wynd, |
| Frascella, | Limper, | Reibman, | Yatron, |
| Fulmer, | Lopresti, | Renwick, | Yetter, |
| Gailey, | Luigard, | Rigby, | Andrews, |

Speaker

NAYS—0

NOT VOTING—54

| | | | |
|-------------|-------------------|-------------------|------------|
| Agnew, | Ewing, | McLaughlin, | Silverman, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | Gelfand, | Maxwell, | Stevens, |
| Boles, | George, | Merry, | Strausser, |
| Brenninger, | Gibb, | Monroe, | Stroup, |
| Burns, | Goldstein, J. H., | Moran, | Ujobal, |
| Capitolo, | Haudenschild, | Murphy, P. J., | Walsh, |
| Clarke, | Jenkins, | Murray, P. G., | Weldner, |
| Cooper, | Jones, T. H. W., | Naugle, | Whittaker, |
| Crossin, | Jump, | O'Dell, | Willard, |
| Dennis, | Lee, A. M., | O'Donnell, J. A., | Willaredt, |
| Donahue, | Lippincott, | Reidenbach, | Wilt, |
| Donaldson, | McInroy, | Sherman, | Zimmerman, |
| Down, | McKeever, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

PERMISSION TO ADDRESS HOUSE

Mr. POLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, the gentleman from McKean, Mr. Johnson, asked the Majority Leader as to whether or not the Governor would sign House Bill 1108.

I just returned from a conference in the Governor's office with the Budget Secretary, the Secretary of Administration, and the Governor's Executive Secretary. At this time we have no information, nor any facts or figures, that would warrant raising the revenue estimates. However the Department of Revenue, the Budget Secretary and the Secretary of Administration, has arranged for an immediate conference with the Joint State Government Commission to review the figures that Mr. Johnson gave me. If it is found there is revenue available, the Governor would sign the bill. If it is found that revenues are not available, the Governor will not sign the bill. I cannot

give you a positive answer until after the result of this conference is known.

They had already left to arrange for this conference and I presume that it will be under way in a few minutes. I will let Mr. Johnson and the House know just as soon as it has been ascertained whether or not additional revenues are available.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 1066.

An Act authorizing the recapitalization of limited life insurance companies and limiting the amounts for which such companies may issue policies.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 1066.

The motion was agree to.

Ordered, That the Clerk inform the Senate accordingly

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSES BILLS Nos. 66, 432, 446, 647, 1080, 1099, 1473, 1734, 1881, 1915, 1981, 2277, 2338, 2394 and 2425.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 66, Printer's No. 2065, entitled "An Act prohibiting discrimination in rate or pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 432, Printer's No. 1858, entitled "An Act making an appropriation to the Paoli Memorial Association for improvements and repairs of the driveways on the Paoli Parade Ground situate in Malvern Borough Chester County."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 446, Printer's No. 2044, entitled "An Act relating to the legitimacy of children born of void or voidable marriages."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed House Bill No. 647, Printer's No. 1190, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929' changing the provisions relating to leaves for certain State employees."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1080, Printer's No. 2022, entitled "An Act amending the act of May 23, 1945 (P. L. 913), entitled 'Professional Engineers Registration Law' authorizing registration of certain qualified persons without examination and providing for biennial registration."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1099, Printer's No. 2043, entitled "An Act amending the act of May 22, 1951 (P. L. 317), entitled 'The Professional Nursing Law' providing for biennial registration and changing fees."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1473, Printer's No. 1996, entitled "An Act amending the act of June 28, 1947 (P. L. 1110), entitled 'Motor Vehicle Sales Finance Act' permitting payment of time balances in amounts varying with the expected income of the buyer."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1734, Printer's No. 2063, entitled "An Act creating an Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity in the use of funds appropriated by the act of July 7, 1955 (P. L. 258), entitled 'Anthracite Mine Drainage Commission.'"

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1891, Printer's No. 2056, entitled "An Act amending the act of April 8, 1937 (P. L. 262), entitled as amended 'Consumer Discount Company Act' further regulating the granting of licenses and providing for appeals."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1915, Printer's No. 1969, entitled "An Act amending the act of May 11, 1949 (P. L. 1106), entitled 'An act requiring the county commissioners to provide at the expense of the county telephone service typewriters stenographers office space materials and other equipment for the use of the county superintendent of schools' providing for the payment of the expenses of the county superintendent of schools."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1981, Printer's No. 2053, entitled "An Act amending the act of June 3, 1937 (P. L. 1333), entitled 'Pennsylvania Election Code' providing for the deposit of cash or a bond with sufficient surety upon petition for the recanvassing of a voting machine and prescribing the procedure therefor."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2277, Printer's No. 1690, entitled "An Act amending the act of April 29, 1959 (P. L. 58), entitled 'The Vehicle Code' repealing provisions for annual registration fees based on chassis weights adding a schedule of fees for certain vehicles repealing provisions for maximum gross weights based on chassis weights changing penalties for violation of maximum gross weight provisions and making editorial corrections."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2338, Printer's No. 2046, entitled "An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled 'Unemployment Compensation Law' to define certain terms to modify eligibility and disqualification provisions payments and rates of compensation to revise and increase rates of contribution to limit scope of contribution appeals and to repeal certain provisions concerning employees under Shipping Articles."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2376, Printer's No. 2049, entitled "An Act amending the act of September 3, 1955 (Appropriation Acts page 18), entitled 'An act providing for reconstruction and repair of roads streets highways and bridges damaged or destroyed by the hurricane flood or high water of August 1955 making appropriations out of the Motor License Fund to the Department of Highways for allocation to political subdivisions subject to approval of the State Council of Civil Defense and for the reconstruction and repair of State highways and bridges thereon and free bridges under the jurisdiction of the Delaware River Joint Toll Bridge Commission and for allocation to cities boroughs towns and townships for general highway purposes' extending the provisions of the act to political subdivisions for damages caused by later disasters making them eligible for moneys out of said appropriations and extending the time that appropriations are available."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2394, Printer's No. 2042, entitled "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'Public School Code of 1949' changing the provisions relating to the reading of the Bible in public schools."

DAVID L. LAWRENCE.

December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2425, Printer's No. 1866, entitled "An Act amending the act of June 1, 1959 (Act No. 77), entitled 'Public School Employees' Retirement Code of 1959' providing for the purchase of credit for service in summer schools prior to membership in the retirement system changing the income limitation for disability annuitants and requiring school employes who are members of the General Assembly to give notice of election in certain cases."

DAVID L. LAWRENCE.

RESOLUTION INTRODUCED AND REFERRED

Br Messrs. WORLEY, WOOD and H. H. PERRY.

RESOLUTION No. 134.

In the House of Representatives, December 18, 1959.

Pennsylvania has long been known for its agricultural products. The area comprising Lancaster, York and Adams County is known throughout the world as a garden center.

It is of vital importance that the Commonwealth of Pennsylvania encourage the use of the products of its soil. In doing so, the Commonwealth will aid the products of Pennsylvania agriculture to continue to receive their just recognition as an important item sold within this Commonwealth and elsewhere; therefore be it

Resolved, That the State government and its various agencies are requested and encouraged to require the sale of Pennsylvania apples and other Pennsylvania agricultural products by its personnel and others when they are selling such products on State property.

Referred to the Committee on Rules.

**REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1971**

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1971.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE

SENATE RESOLUTION SERIAL No. 122

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, November 30, 1959.

The County Court of Allegheny County and the Municipal Court of Philadelphia County are unique, in that these Courts were created by statute for the conduct of legal proceedings which, in other counties of our Commonwealth, are conducted by courts provided for in our Constitution.

In order to bring about a more uniform method of conducting legal proceedings and to eliminate the possibility of duplication of function and resultant additional expense in maintaining these statutory courts, it is deemed important that a thorough study be conducted to determine whether there is sufficient justification for the continued existence of such courts, or whether it would be advisable to combine or merge the County Court of Allegheny County and the Municipal Court of Philadelphia County with the Courts of Common Pleas; therefore, be it

Resolved (The House of Representatives concurring), That the Joint State Government Commission is hereby directed to make a study of the feasibility of combining or merging the jurisdiction and/or the personnel of said County Court of Allegheny County and the Municipal Court of Philadelphia County with the Courts of Common Pleas of said counties, and of the desirability of

establishing court administrators in such counties; and be it further

Resolved, That the Joint State Government Commission make a report of its findings and recommendations, together with drafts of such legislation as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

SENATE RESOLUTION SERIAL No. 122

Mr. DEVLIN asked and obtained unanimous consent for the immediate consideration of Senate Resolution Serial No. 122.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE RESOLUTION SERIAL No. 124

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 15, 1959.

Whereas, There has arisen a wide spread use of three member boards of attorneys—arbitrators to hear and decide civil claims up to \$2,000, and

Whereas, In Allegheny County the estimated cost of such a system is between \$75,000 and \$100,000 per year; therefore be it

Resolved, (the House of Representatives concurring), That the Joint State Government Commission be directed to make a study of the use of such three member boards of attorneys—arbitrators and the cost thereof as well as the feasibility of additional law judges hearing such claims without a jury and the comparative cost thereof; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

SENATE RESOLUTION SERIAL No. 124

Mr. DEVLIN asked and obtained unanimous consent for the immediate consideration of Senate Resolution Serial No. 124.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

**REPORT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1355**

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1355.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE**SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE**

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-

concurred in by the House of Representatives, to Senate Bill No. 1043 recalled from the Governor entitled:

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assist stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

And has appointed Messrs. Shafer, Scott and Mahady a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate to Senate Bill No. 1043 and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1043

The SPEAKER pro tempore. The Chair appoints as a Committee of Conference on the part of the House, Messrs. RUDISILL, IRVIS and Mr. GOLDSTEIN.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 2417.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 2417, Printer's No. 1793 entitled "An Act amending the act of May 28, 1937 (P. L. 955) entitled as amended 'An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Planning Board and certain other State officers and departments' providing that rentals to persons dependent upon veterans' benefits or public assistance grants or similar income payments from government agencies shall not be more than that charged to other families of comparable size and income."

This bill amends the act of May 28, 1937, (P. L. 955) known as the "Housing Authorities Law." It provides that authority "rentals to persons dependent * * * on veterans' benefits, public assistance grants or other income payments from government agencies shall not be more than is charged other families of comparable size and income."

This bill purports to reduce the expenditures of State public assistance monies. The amendatory provisions would do this by reducing substantially the rentals received by housing authorities from public assistance recipients without any compensatory increase in such person's income for non-rental purposes. When rental charges are reduced for most persons, the amount of their income for other purposes increases. That is not the situation of public assistance recipients who receive only earmarked income. In their case, as their rental charge goes down, so does their rental allotment.

It is the opinion of the housing authorities throughout the State and of the Department of Public Welfare that these amendatory provisions would not result in savings but would impose greater burdens on the authorities and their tenants. These authorities claim that it is impossible to reduce their rentals further and still operate without loss. Consequently, the amendment leaves the authority with but one alternative, namely, the raising of the minimum rents of all persons. The authorities point out that the amount of the across the board rental increases that would be necessary would prove disastrous for many elderly tenants who are not recipients of public assistance benefits. These are the persons who receive fixed incomes under social security or other private or public pensions.

Such unfortunate consequences for persons who urgently require decent housing are a telling argument against the amendatory provisions. There are two other factors to be considered. The nature and cost of the housing projects undertaken by authorities have been based on rental rates for public assistance recipients which have been in existence for many years. Such rates were established by agreement between the former Department of Public Assistance and the Pennsylvania Association of Housing Authorities. To lower these rates, as this bill would do, would destroy the financial framework within which our public housing authorities have operated with commendatory success.

Another consideration weighing against these provisions is the obvious unreasonableness in using a basis for the public assistance housing allocation which is different for housing authorities than it is for privately supplied housing. The amount of public assistance to be earmarked for rent should depend on the quality of the housing provided the recipients rather than the nature of its ownership. We know that authority housing is equal and often superior to that provided low income groups in private housing. It would, therefore, follow that the rentals which the authorities receive from recipients of public assistance should match the amounts given to other landlords.

The reasons enumerated above are those which the Department of Public Welfare and the Housing Authorities have strongly urged upon this office for the disapproval of the amendatory provisions. They have taken the position that in its interference with the legitimate undertakings of authorities, and thereby its threat to the continued occupancy of many of their tenants, this bill is not in the public interest.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 2419.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 17, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 2419, Printer's No. 1792, entitled "An Act amending the act of August 5, 1941 (P. L. 752) entitled 'An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnel Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employees of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof' conferring rights on certain provisional employees and war-duration appointees."

This bill proposes to amend the Act of August 5, 1941, P. L. 752, known as the "Civil Service Act," by providing in Section 607 thereof that whenever any provisional employee who has held a position in the classified service or as a war-duration employee shall have served eight years, or more, and shall have taken and have passed an examination for any position in the classified service and shall have been dismissed under the provisions of Section 604 of the act, or under the provisions of the Act of June 4, 1943, P. L. 870, such employee shall be entitled to be reinstated with the rights of permanent tenure, transfer and promotion in the same manner as a regular employee.

On May 29, 1958, in response to a request by the Auditor General the Department of Justice issued an opinion stating that provisional employees who had been carried on the rolls in excess of ninety days and war-duration appointees who had been employed beyond the statutory duration of their employment should forthwith be dismissed. Following that opinion, a number of such employees were separated from the classified service of the Commonwealth. A group of such employees brought an action in the Commonwealth Court and that court dismissed the action by upholding the ruling of the Department of Justice.

The proposed amendment to the Civil Service Act would now grant to such employees and perhaps others in the same category permanent civil service status. Such granting of status would not be based upon the normal prerequisites, i. e., the taking and passage of an examination for the position to be occupied, the securing of a sufficiently high score to warrant appointment and the successful performance during a prescribed probationary period. This bill would implant in the uniform civil service procedures that are applied to all persons seeking and holding civil service positions a bit of special legislation designed to benefit a limited few. If the persons in question were given status by virtue of this amendment a serious problem would arise as to those individuals who have been properly appointed to fill their vacancies. At best, it would require reshuffling of positions, at worst, it would not require the furloughing of individuals who have been properly qualified under the provisions of the Civil Service Act. It is also doubtful whether this bill would meet the standards of the Federal government which financially aids many of the Commonwealth's departments covered by civil service. The Federal government requires that persons holding a position be qualified to perform the duties of the particular job. Under the proposed amendment the individual need only have passed an examination for any position in the classified service, not necessarily the one in which he will be given a permanent status.

While this bill was originally intended to benefit eleven employees of the Liquor Control Board, its coverage is so broad as to affect all departments under civil service. In fact, we have been advised by the Regional Office of the United States Department of Health, Education and Welfare that this bill, if enacted, may place in jeopardy

Federal grants received in connection with public assistance, public health, and other federally-aided programs.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE

COMMUNICATION AND BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agree to.

REPORT FROM COMMITTEE

Mr. DEVLIN from the Committee on Rules, reported as committed, Senate Resolution, Serial No. 120.

SENATE RESOLUTION SERIAL No. 120

Mr. DEVLIN asked and obtained unanimous consent for the immediate consideration of Senate Bill No. 120.

The resolution was read, considered and adopted as follows:

In the Senate, September 14, 1959.

The abolition of capital punishment is an extremely controversial subject and one which should be approached with a knowledge of all available facts and statistics. In order that the General Assembly may intelligently consider such legislation, it is imperative that a thorough study be made to make this information available; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to undertake an intensive study of capital punishment and its effect upon society, and to submit its findings, together with its recommendations on whether or not capital punishment should be abolished in this Commonwealth, to the next session of the General Assembly.

Ordered, That the Clerk inform the Senate accordingly.

CAUCUSES

Mr. McCANN. Mr. Speaker, I am going to request a recess of one hour and, of course, we will take 30 minutes for lunch. I am going to ask for that period of time in which the membership will get an opportunity to have lunch. We will cover the calendar, all of it, but I would ask that those conference committees continue to finish their reports as fast as possible for the purpose of printing. With that in mind, at the proper time I shall ask that all the Members bring their House calendars with them.

Mr. A. W. JOHNSON. We will also call for a caucus. We will have lunch for 30 minutes and caucus for one hour. That will mean the caucus will be at quarter to one.

RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of one hour and thirty minutes.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore County of Lackawanna Pennsylvania for the use of the Department of Revenue and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 1115, entitled:

An Act amending the act of May 22, 1933 (P. L. 912) entitled "Bakery Law" changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products.

On the question,

Shall the bill pass finally?

Mr. M. H. GOLDSTEIN. Mr. Speaker, I would like to have someone submit himself to interrogation as to certain features of this bill

The SPEAKER. Are there any volunteers for interrogation?

Mr. McCANN. Mr. Speaker, under the present situation I will attempt to answer the questions pertaining to Senate Bill No. 1115, Printer's No. 1667.

Mr. M. H. GOLDSTEIN. Mr. Speaker, since this is a general law applying to the inspection of bakery shops throughout the state of Pennsylvania, would it not by implication repeal prior existing laws, whether general or local?

Mr. McCANN. Mr. Speaker, the answer to the gentleman's question, as I have been told, is that it would not. In other words, say that such laws or ordinances were written in the city of Pittsburgh or in my own community, then would this law validate or repeal or change those existing laws since it is a later law. I was told that it would not.

Now, I am asking you for help on this also, Mr. Goldstein, because I know the general outline of the purpose of this bill dealing with local bakeries, the vehicle that a local bakery uses, a bakery that sends its products into other stores. But, the question that you have asked me, I have no authority except from a conference, I believe, in our office this came up one day with Mr. Lopresti, Mr. Devlin and I believe the man's name was Mr. Stabb of the Bakers' Association.

Mr. M. H. GOLDSTEIN. Thank you for your answer. I would like to discuss what I believe to be the unsound features of this bill.

After reading this bill I am confused. Particularly after the clause was eliminated which stated that nothing in this Act shall be construed to prevent counties from having boards of health, the right to enforce their ordinances and regulations.

It seems that two sections of the Statutory Construction Act are applicable to this situation. They are as follows: Whenever a general law purports to establish a uniform and mandatory system covering the class subjects, such law shall be construed to repeal pre-existing local or special laws on the same subject. Certainly whenever

a law purports to be a revision of all laws on a particular subject, or sets up a general or exclusive law covering the entire subject matter of a former law, it is intended as a substitute for such former law and such law shall be construed to repeal all former laws upon the same subject.

If we pass this legislation in its uncertain state, the Supreme Court of this state will be compelled to determine what the legislative intent is, and what the Supreme Court of this state will do is entirely uncertain. Therefore, we feel that the present condition of this bill is so deplorable that nobody should vote in its favor. We say that this bill will become the parent of confusion and litigation and both the baking industry and the enforcing authorities, local and state, are entitled to sound legislation free from doubt. Unless this legislation be free from doubt we should not pass it and I intend to vote against it because I am uncertain as to whether or not it will oust the jurisdiction of the Allegheny County Board of Health.

Mr. LAMB. Mr. Speaker, I wish to say that I find myself in complete accord with what Mr. Goldstein has said.

I feel that whether it was intended or not, this bill certainly is going to hamper and restrict the activity of the local County Health Department. It is my belief that on many occasions the local County Health Departments have, probably, better regulatory regulations and restrictions which will be of greater benefit to the consumer, to the buying public.

For example, I understand that the local County Health Departments require certain inspections. It is my understanding that possibly under this bill, or under other regulations, promulgated by the Agriculture Department, these inspections are possibly not as many. Now I feel that certainly the consumer has to be protected and if under local county health regulations better protection is going to be afforded to them I do not think we should in any way put any skids, under them or in any way restrict the local County Health Departments, and as a result, I too am going to vote against this bill.

Mr. LIGHT. Mr. Speaker, Members of the House, two days ago when this bill was up for passage I discussed one of the amendments and I should like to discuss the one that was not touched upon two days ago.

May I say at the outset, that in 1957, at the close of the Session, we had a food bill before us which did not pass. At that time a Senate Resolution had passed asking the Joint State Government Commission to make a study of the Pure Food Laws of Pennsylvania. We had hoped that in this Session we would have before us a comprehensive review and possibly a new law to replace the food laws that we have in Pennsylvania.

Early in the Session, the first days of the Session, word went around that a new food bill was in preparation. I am sure that the Secretary of Agriculture was interested in a new food bill, for I have his word on a subject here that I think the Members will be pleased to know.

In a statement, according to the monthly news bulletin of the Department of Agriculture prepared for presentation to the hearing before the Public Health and Sanitation Committee, Secretary Henning made this statement regarding the new food bill:

He said, "Drastic changes that has taken place since World War II require that we place in the fields of modern food production, processing,

marketing, packaging and distribution and demand that we adjust our food law enforcement policies and practices."

So says Dr. Henning.

He continues and says "The proposed legislation would prohibit the manufacture or sale of any adulterated, misbranded or harmful foods. It would place the burden of proof of safety on the manufacturers. Consumers must now prove items harmful before use is halted."

Following the statement that was broadcast through the news by Dr. Henning, I am sure he had looked forward to a two-way food bill that would improve what we now have. I should say right here that if the food law of Pennsylvania needs correction, it should be corrected upwards, not downgraded, as 1115 proposes to do.

This bill has had a varied passage. There are six reprints, beginning with 1333 and ending with this one that we have before us today. Briefly stated, what this bill will do is give power to the Department of Agriculture, the Secretary of Agriculture, to modify the law that is now before us.

The only things that this amendment will do will be to give a baker the privilege of selling his products in his own store, on the market place, on the market stall, and to deliver to his customers without marking or wrapping, if so agreed upon with the Secretary of Agriculture.

You may tell me that will not be possible. No one will request to do that, but men in trades who are handicapped, who possibly have no capital, who are distressed in other ways, must do something to get their product on the market. I do not ever want a baker, and I do not think you do, to deliver a loaf of bread on your doorstep that may have been handed by a dozen people without a wrapper. That possibility exists in this bill. So, I feel that if anything is to be done with the food laws of Pennsylvania it should be done in a constructive way and we should be forward looking and see what the food industry and what the public want.

This is a consumers' bill. It is not a bill to satisfy the baker. It is not a bill to satisfy anyone else. This bill is a bill that is to protect the consumer, and we should do it from that angle, and, in my opinion, I cannot vote for the bill as it stands. I am not asking the Members to vote either one way or the other. I think it is up to each one to determine how to vote on this bill and follow, possibly the idea that the Speaker advocated just a little while ago when he said, "It is the burden of the Legislators to envision the needs of our people."

On that basis I think if we want to do anything with the food bill, we ought to take notice of what the Federal Government is doing with regard to additives, with regard to all sorts of new things that have come onto the market, or that they should be including and we should live closer to the Federal Food and Drug Act, instead of trying to downgrade the Pennsylvania Pure Food Laws.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—71

| | | | |
|------------|---------------|---------------------|-----------|
| Anderson, | Fulmer, | Mullen, | Schaaf, |
| Arlene, | Galley, | Munley, | Shupnik, |
| Balthaser, | Garlock, | Murphy, A. J., Jr., | Snider, |
| Branca, | Heavey, | Musto, | Stank, |
| Breth, | Holt, | Needham, | Stone, |
| Capano, | Jim, | Nelson, | Sullivan, |
| Capitolo, | Jones, F. R., | O'Donnell, J. P., | Taylor, |
| Cianfrani, | Kornick, | O'Neill, | Ujosal, |
| Cioffi, | Kovolenko, | Perry, H. H., | Varallo, |
| Comer, | Limper, | Perry, P. E., | Verona, |
| Curwood, | Lulgard, | Petrosky, | Wall, |
| Dennis, | McCann, | Polen, | Wargo, |
| Dougherty, | McCormack, | Reibman, | Welsh, |
| Ellberg, | McDonald, | Renwick, | Wheeler, |
| Farabaugh, | Machmer, | Riley, | Worley, |
| Floyd, | Meholchick, | Rovansek, | Yetter, |
| Flynn, | Mihm, | Rudisill, | Andrews, |
| Frascella, | Mills, | Scarcelll, | Speaker |

NAYS—76

| | | | |
|------------|-------------------|----------------|----------------------|
| Ashton, | Frank, | Kernaghan, | Parlante, |
| Barton, | Gallagher, | Kessler, | Pashley, |
| Bell, | Goldstein, M. H., | Knecht, | Polaski, |
| Bonner, | Goodrich, | Kooker, | Price, |
| Boris, | Gramlich, | Korns, | Pursley, |
| Bower, | Guthrie, | Lamb, | Rigby, |
| Bowman, | Heffner, | Lee, A. M., | Royer, |
| Brown, | Helm, | Lee, K. B., | Seltzer, |
| Buchanan, | Henzel, | Leonard, | Steckel, |
| Davis, | Hocker, | Light, | Stewart, |
| Dengler, | Holliday, | Lutty, | Stoner, |
| Dennison, | Horst, | McCandless, | Stroup, |
| Devlin, | Irvic, | McLaughlin, | Thompson, |
| Edwards, | Isaacs, | Mahan, | Tompkins, |
| Eshback, | Johnson, A. W., | Markley, | Varnar, |
| Eshleman, | Johnson, R., | Miller, B. Z., | Walsh, |
| Fetterolf, | Kamyk, | Miller, H. G., | Williams, A. D. Jr., |
| Filo, | Kee, | Odorisio, | Williams, E. S., |
| Foerster, | Kelser, | Ogilvie, | Wood, |

NOT VOTING—63

| | | | |
|-------------|-------------------|-------------------|------------|
| Agnew, | George, | Monroe, | Silverman, |
| Auker, | Gibb, | Moran, | Snare, |
| Blair, | Goldstein, J. H., | Muldowney, | Stevens, |
| Boles, | Hamilton, | Murphy, P. J., | Stimmel, |
| Brenninger, | Haudenschild, | Murray, H. P. | Strausser, |
| Burns, | Jenkins, | Murray, J. J., | Trusio, |
| Clarke, | Jones, T. H. W., | Murray, P. G., | Weidner, |
| Cooper, | Jump, | O'Nagle, | Wescott, |
| Crossin, | Kubitsky, | O'Donnell, J. A., | Whittaker, |
| Donahue, | Lippincott, | O'Dell, | Willard, |
| Donaldson, | Lopresti, | Prendergast, | Willaredt, |
| Down, | McInroy, | Reidenbach, | Wilt, |
| Ewing, | McKeever, | Sakulsky, | Wynd, |
| Fineman, | Magee, | Schuster, | Yatron, |
| Fox, | Maxwell, | Schwartz, | Zimmerman, |
| Gelfand, | Merry, | Sherman, | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. HELM IN THE CHAIR

Mr. POLEN. Mr. Speaker, I have just been advised by the Secretary of Administration that they have conferred with the Joint State Government Commission and the Secretary of Revenue. They have re-examined the revenue estimates and the other matters pertaining to them and find no basis whatever for raising the estimates \$326 million as shown by the report of the Joint State Government Commission.

Therefore, I would have to make the statement that under the Constitution, the Governor would have no other alternative but to veto House Bill 1108 at this present time, in the absence of revenues to cover the cost.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 9, entitled:

An Act amending the act of April 29, 1959 (Act No. 32), entitled "The Vehicle Code" prohibiting competitive racing on highways and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF. Mr. Speaker, would the Chair have any objection if this bill were passed over temporarily?

Mr. RIGBY. Mr. Speaker, I would like to interrogate the gentleman from Erie, Mr. Schaaf.

The SPEAKER pro tempore. Will the gentleman from Erie, Mr. Schaaf, permit himself to be interrogated?

Mr. SCHAAF. I shall, Mr. Speaker.

Mr. RIGBY. Mr. Speaker, I would like to know the reason for passing this bill over temporarily.

Mr. SCHAAF. Mr. Speaker, I have no objection to giving what I think is my reason, but things have happened a little bit quickly around here this afternoon.

Basically, as I understand it there are two bills involved, both of which—and incidentally they are House Bill 63 which is now on the Senate third reading calendar, and Senate Bill 9 which is over here—raise the fines for persons involved in speeding or races on the highway, I shouldn't say "speeding" but I should say "races."

According to line 32, which we previously passed, which makes it unlawful to participate in any physical endurance test or any race or speed contest with a motor vehicle on the highway, the fine for which is a minimum \$10, maximum \$25.

As I understand it, Senate Bill No. 9 raises the fine to \$100, which I do think myself is a desirable feature. If I might venture a personal opinion, and I do this rather quickly, it uses the expression—now I am thinking of Senate Bill No. 9—"No person shall operate a vehicle upon any highway in a competitive race against the operator of another vehicle."

Without objection, if I could refer very briefly in further answer to the gentleman's question about House Bill No. 63 which is presently lodged in the Senate, the expression there used is, "elapsed time superior performance or speed."

Frankly on the basis of both bills as they appear at the present time, I would be opposed to them for this reason. I think the bills—and this is not intended as criticism—but to me it appears to be a job of faulty draftsmanship because I do think, and the gentleman may not agree with me, but nevertheless I do think that these would thereby prohibit and preclude, either of these bills, the operation of these touring clubs where they have a set pattern, or set course perhaps around a portion of your particular county where the purpose of the competition is not speed but to hit certain given check points at certain times, and it is more or less in the nature of a test of driving skill. As I say, it is my personal belief that both bills are so drawn that these are prohibited.

One more thing, there are some cities in this Commonwealth, some localities and communities, which have auto racing or participating activities in the nature of hill climbs and things such as that, which I understand are conducted up near Wilkes-Barre. Again I feel that the broad language of both of these bills is sufficient to pre-

clude and thereby prohibit the operation of those such events, too.

Mr. RIGBY. Mr. Speaker, this is another drag-racing bill. The purpose of this bill is to prohibit drag racing upon the highways of the state. The intention of it is to promote highway safety and that is the only intention of it. The present law now is inadequate and that is the reason why both of these bills were put in. We have worked with the Senate on an agreement to pass these bills.

I might say this, House Bill 63 is on third reading in the Senate, has been amended by the administration, and they have agreed that 63 is all right. And of course there is nothing wrong with this bill.

Mr. SCHAAF. Mr. Speaker, would the gentleman yield to me momentarily for further interrogation?

Mr. RIGBY. Mr. Speaker, I wonder if I can explain something to the gentleman privately. I think we can talk it over a little bit better without interrogation.

The SPEAKER pro tempore. The gentleman from Allegheny, Mr. Rigby, will confer with the gentleman from Erie, Mr. Schaaf?

Mr. SCHAAF. Mr. Speaker, I understand that this bill is then, on the ruling of the Chair, passed over temporarily, is that correct?

The SPEAKER pro tempore. It has not been passed over temporarily. The Chair put the question that if there was no objection the Chair will withdraw its decision as to the bill having been agreed upon on third reading.

Mr. SCHAAF. Mr. Speaker, would the gentleman from Allegheny voice any objection to the bill being passed over temporarily?

Mr. RIGBY. That is all right.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL PASSED OVER

There being no objection

Senate Bill No. 9, Printer's No. 769 was passed over at the request of Mr. SCHAAF.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 993, entitled:

An Act amending the act of June 1, 1956 (P. L. 1987) entitled "An act authorizing the Department of Highways with approval of the Governor to erect and construct a toll bridge over the Monongahela River connecting the State highway system in Washington County with the system of State highways in Fayette County and to provide the necessary approaches and connections with such State highways . . ." naming the bridge the William J. Lane-Eustice H. Bane Bridge.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—114

Anderson,
Arlene,
Ashton,
Balthaser,
Barton,

Goldstein, M. H.,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Lutty,
McCandless,
McCann,
McDonald,
Machmer,

Riley,
Rovanssek,
Royer,
Scarcelll,
Schuster,

| | | | |
|---|--|--|--|
| Bell, Bowman, Branca, Breth, Brown, Buchanan, Capano, Comer, Davis, Dengler, Dennison, Devlin, Dougherty, Edwards, Ellberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Flynn, Foerster, Frank, Fulmer, | Heavey, Helm, Henzel, Holliday, Horst, Isaacs, Jim, Johnson, R., Kamyk, Kee, Keiser, Kernaghan, Kessler, Knecht, Kooker, Korns, Kovolenko, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Lopresti, Luigard, | Mahan, Markley, Mihm, Miller, B. Z., Miller, H. G., Mills, Mullen, Murray, J. J., Musto, Needham, O'Donnell, J. P., Odoristo, Ogilvie, O'Neil, Parlante, Pashley, Perry, P. E., Petrosky, Polen, Price, Pursley, Reibman, Renwick, | Seltzer, Snider, Steckel, Stewart, Stimmel, Stoner, Stroup, Sullivan, Thompson, Tompkins, Ujobai, Varallo, Varner, Verona, Walsh, Wargo, Welsh, Wheeler, Williams, E. S., Wood, Yatron, Yetter, |
|---|--|--|--|

NAYS—27

| | | | |
|---|--|---|--|
| Capitolo, Cianfrani, Curwood, Dennis, Floyd, Frascella, Galley, | Gallagher, Garlock, Hocker, Holt, Irvis, Jones, F. R., Limper, | McCormack, Meholchick, Munley, Nelson, Perry, H. H., Polaski, Rudisill, | Shupnik, Stank, Taylor, Williams, A. D., Jr., Worley, Andrews, Speaker |
|---|--|---|--|

NOT VOTING—69

| | | | |
|--|--|---|---|
| Agnew, Auker, Blair, Boles, Bonner, Boris, Bower, Brenninger, Burns, Cioffi, Clarke, Cooper, Crossin, Donahue, Donaldson, Down, Ewing, Fineman, | Fox, Gelfand, George, Gibb, Goldstein, J. H., Haudenschild, Heffner, Jenkins, Johnson, A. W., Jones, T. H. W., Jump, Kornick, Kubitsky, Lippincott, McInroy, McKeever, McLaughlin, | Magee, Maxwell, Merry, Monroe, Moran, Muldowney, Murphy, A. J., Jr., Murphy, P. J., Murray, H. P., Murray, P. G., Naugle, O'Dell, O'Donnell, J. A., Prendergast, Reidenbach, Rigby, Sakulsky, | Schaaf, Schwartz, Sherman, Silverman, Snare, Stevens, Stone, Strausser, Trusio, Weidner, Wescott, Whittaker, Willard, Willaredt, Wilt, Wynd, Zimmerman, |
|--|--|---|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1232, entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Kiskiminetas River in Westmoreland and Armstrong Counties and to provide the necessary approaches and connections with State highways empowering counties to pay certain damages and making an appropriation therefor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—64

| | | | |
|---|--|--|--|
| Ashton, Barton, Bell, Bowman, Brown, Buchanan, Davis, Dengler, Dennison, Devlin, Edwards, Eshback, Eshleman, Farabaugh, Fetterolf, Fulmer, | Goldstein, M. H., Goodrich, Gramlich, Guthrie, Helm, Henzel, Hocker, Holliday, Horst, Isaacs, Jim, Johnson, A. W., Johnson, R., Kee, Keiser, Kernaghan, | Kessler, Knecht, Kooker, Korns, Lee, A. M., Light, McCandless, McCann, Thomson, Markley, Miller, B. Z., Miller, H. G., Mills, Odoristo, Ogilvie, Price, | Rigby, Royer, Schaaf, Seltzer, Steckel, Stewart, Stoner, Stroup, Thompson, Tompkins, Ujobai, Varner, Wall, Williams, A. D., Jr., Williams, E. S., Wood, |
|---|--|--|--|

NAYS—81

| | | | |
|---|---|---|---|
| Anderson, Arlene, Balthaser, Bonner, Branca, Breth, Capano, Capitolo, Cianfrani, Cioffi, Curwood, Dennis, Dougherty, Ellberg, Filo, Floyd, Flynn, Foerster, Frank, Frascella, Galley, | Gallagher, Garlock, Heavey, Holt, Irvis, Jones, F. R., Kamyk, Kornick, Kovolenko, Lamb, Leonard, Limper, Luigard, McCormack, McDonald, McLaughlin, Machmer, Meholchick, Mihm, Mullen, Munley, | Murphy, A. J., Jr., Murray, J. J., Musto, Needham, Nelson, O'Donnell, J. P., O'Neil, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Pursley, Reibman, Renwick, Riley, Rovanseck, Rudisill, | Scarcelli, Schuster, Schwartz, Sherman, Shupnik, Silverman, Snider, Stank, Sullivan, Taylor, Varallo, Verona, Walsh, Wargo, Welsh, Wheeler, Worley, Yetter, Andrews, Speaker |
|---|---|---|---|

NOT VOTING—65

| | | | |
|--|--|--|---|
| Agnew, Auker, Blair, Boles, Boris, Bower, Brenninger, Burns, Clarke, Comer, Cooper, Crossin, Donahue, Donaldson, Down, Ewing, Fineman, | Fox, Gelfand, George, Gibb, Goldstein, J. H., Hamilton, Haudenschild, Heffner, Jenkins, Jones, T. H. W., Jump, Kubitsky, Lee, K. B., Lippincott, Lopresti, Lutty, | McInroy, McKeever, Magee, Maxwell, Merry, Monroe, Moran, Muldowney, Murphy, P. J., Murray, H. P., Murray, P. G., Naugle, O'Dell, O'Donnell, J. A., Prendergast, Reidenbach, | Sakulsky, Snare, Stevens, Stimmel, Stone, Strausser, Trusio, Weidner, Wescott, Whittaker, Willard, Willaredt, Wilt, Wynd, Yatron, Zimmerman, |
|--|--|--|---|

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1597.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "An act to provide revenue for purposes of public education by imposing a tax on the sale use storage rental or consumption of certain personal property and certain services providing for licenses reports and payment of tax interest and penalties assessments collections liens reviews and appeals conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers

corporations partnerships associations and individuals and making an appropriation" redefining the term "maintaining a place of business in this Commonwealth" to include therein persons soliciting orders within this Commonwealth in connection with the sale lease or delivery of certain personal property to or the performance thereon of certain services for residents of this Commonwealth by means of catalogues or other advertising and conferring powers and imposing duties upon such persons defining or redefining certain words terms and phrases clarifying the scope of the exemption for vessels imposing a tax upon the occupancy of hotel rooms prescribing the procedure for the raising of certain taxpayer defenses providing for notice of liens imposing the burden of proof on the department in certain proceedings and providing for the application of general laws in the administration and enforcement of this act

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Title, page 2, line 1, by striking out after the word "appropriation" the following: "redefining the term 'maintaining a place of business in this Commonwealth' to include therein persons soliciting orders within this Commonwealth in connection with the sale lease or delivery of certain personal property to or the performance thereon of certain services for residents of this Commonwealth by means of catalogues or other advertising and conferring powers and imposing duties upon such persons" and inserting in lieu thereof, the following: "defining or redefining certain words terms and phrases clarifying the scope of the exemption for vessels imposing a tax upon the occupancy of hotel rooms prescribing the procedure for the raising of certain taxpayer defenses providing for notice of liens imposing the burden of proof on the department in certain proceedings and providing for the application of general laws in the administration and enforcement of this act"

Amend Section 1, page 3, line 1, by striking out after the numeral "1" the words "Clause (b) of section 2" and inserting in lieu thereof the words "the title of the"; page 3, line 3, by striking out after the second word amended the words "by adding at the end thereof a new subclause"; page 3, line 5, by inserting the following:

"An Act to provide revenue for the purposes of public education by imposing a tax on the sale use storage rental or consumption of certain personal property and certain services and upon the occupancy of hotel rooms providing for licenses reports and payment of tax interest and penalties assessments collections liens reviews and appeals prescribing crimes and offenses and penalties therefor providing for the application of general laws in the administration and enforcement of this act conferring powers and imposing duties upon the Department of Revenue public officers manufacturers wholesalers retailers operators corporations partnerships associations and individuals and making an appropriation

"Section 2 Clause (a) of section 2 of the act amended November 21, 1959 (Act No 559) is amended to read

Amend Section 2, page 4, striking out after line 9, the following:

"* * *

"(b) 'Maintaining a place of business in this Commonwealth'

"* * *

"(3) Regularly or substantially soliciting orders within this Commonwealth in connection with the lease sale or delivery of tangible personal property to or the performance thereon of services for residents of this Commonwealth by means of catalogues or other advertising whether in connection with the lease sale or delivery of tangible personal property to or the performance thereon of services for residents of this Commonwealth by means of catalogues or other advertising whether such orders are accepted within or without this Commonwealth.

"* * *

"Section 2 This act shall take effect immediately" and inserting in lieu thereof of the following:

"(a) 'Soft Drinks' All nonalcoholic beverages whether carbonated or not such as soda water ginger ale coca-cola lime cola pepsi-cola Dr Pepper fruit juice when plain or carbonated water flavoring or syrup is added carbonated water orangeade lemonade root beer or any and all preparations commonly referred to as 'soft drinks' of whatsoever kind and are further described as including any and all beverages commonly referred to as "soft drinks" which are made with or without the use of any syrup the term 'soft drink' shall not include natural fruit or vegetable juices or their concentrates or non-carbonated fruit juice drinks containing not less than twenty-five per cent (25%) by volume of natural fruit juices or of fruit juice which has been reconstituted to its original state or natural concentrated fruit or vegetable juices reconstituted to their original state whether any of the foregoing natural juices are frozen or unfrozen sweetened or unsweetened seasoned with salt or spice or unseasoned nor shall the term 'soft drinks' include coffee coffee substitutes tea cocoa natural fluid milk or non-carbonated drinks made from milk derivatives

"* * *

"Section 3 Subclause 2 of clause (k) and clause (1) of section 203 of the act amended April 15, 1959 (P. L. 20) are amended to read

"Section 203 Exclusions from tax the tax imposed by section 201 shall not be imposed upon

"* * *

"(k) * * *

"(2) Sale at retail of tangible personal property or services used or consumed in building rebuilding repairing and making additions to or replacements in and upon vessels designed for commercial use of registered tonnage of fifty tons or more upon special order of the purchaser or when rebuilt repaired or enlarged or when replacements are made upon order of or for the account of the owner

"(1) The sale at retail or use of tangible personal property or services to be used or consumed for ship cleaning or maintenance or as fuel supplies ships' equipment ships' stores or sea stores on vessels to be operated principally outside the limits of the Commonwealth

"* * *

"Section 4 The act is amended by adding after article III a new article to read

"Article IV

"Hotel Occupation Tax

"Section 401 Definitions (a) For the purposes of this article IV only the following words terms and phrases shall have the meaning ascribed to them in this subsection except where the context clearly indicates a different meaning

"(1) 'Hotel' a building or buildings in which the public may for a consideration obtain sleeping accommodations the term 'hotel' shall not include any charitable educational or religious institution summer camp for children hospital or nursing home

"(2) 'Occupant' a person (other than a 'permanent resident' as defined herein) who for a consideration uses possesses or has a right to use or possess any room or rooms in a hotel under any lease concession permit right or access license or agreement

"(3) 'Occupancy' the use or possession or the right to the use or possession by any person (other than a 'permanent resident' as defined herein) of any room or rooms in a hotel for any purpose or the right to the use or possession of the furnishings or to the services and accommodations accompanying the use and possession of the room or rooms

"(4) 'Operator' any person operating a hotel

"(5) 'Permanent resident' any occupant who has occupied or has the right to occupancy of any room or rooms in a hotel for at least thirty consecutive days

"(6) 'Rent' the consideration received for occupancy valued in money whether received in money or otherwise including all receipts cash credits and property or services of any kind or nature and also any amount for which the

occupant is liable for the occupancy without any deduction therefrom whatsoever

"(b) The following words terms and phrases and words terms and phrases of similar import when used in articles III V and VI of this act for the purposes of those articles only shall in addition to the meaning ascribed to them by section 2 of this act have the meaning ascribed to them in this subsection except where the context clearly indicates a different meaning

"(1) 'Maintaining a place of business in this Commonwealth' being the operator of a hotel in this Commonwealth

"(2) 'Purchase at retail' occupancy

"(3) 'Purchase price' rent

"(4) 'Purchaser' occupant

"(5) 'Sale at retail' the providing of occupancy to any occupant by an operator

"(6) 'Tangible personal property' occupancy

"(7) 'Vendor' operator

"(8) 'Services' occupancy

"(9) 'Use' occupancy

"Section 402 Imposition of tax there is hereby imposed an excise tax of four per cent of the rent upon every occupancy of a room or rooms in a hotel in this Commonwealth which tax shall be collected by the operator from the occupant and paid over to the Commonwealth as herein provided

"Section 403 Seasonal tax returns notwithstanding any other provisions in this act the department may by regulation waive the requirement for the filing of quarterly returns in the case of any operator whose hotel is operated only during certain seasons of the year and may provide for the filing of returns by such persons at times other than those provided by section 520.

"Section 5 section 547 of the act amended May 24, 1956 (P. L. 1707) is amended to read:

"Section 547 collection upon failure to request reassessment review or appeal the department may collect any tax.

"(A) If an assessment of tax is not paid within ten days or thirty days as the case may be after notice thereof to the taxpayer and no petition for reassessment has been filed.

"(B) Within sixty days from the date of reassessment if no petition for review has been filed.

"(C) Within sixty days from the date of the decision of the board of finance and revenue upon a petition for review or of the expiration of the board's time for acting upon such petition if no appeal has been made and.

"(D) In all cases of judicial sales receiverships assignments or bankruptcies.

"In any such case in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the department the board of finance and revenue or the courts provided that the defense of failure of the department to mail notice of assessment or reassessment to the taxpayer and the defense of payment of assessment or reassessment may be raised in proceedings for collection by a motion to stay the proceedings.

"Section 6 subsection (B) of section 548 of the act amended November 21, 1959 (Act No. 559) is amended to read:

"Section 548 lien for taxes * * *

"(B) Priority and effect of lien on judicial sale all such liens shall have priority to and be fully paid and satisfied out of the judicial sale before any other obligation judgment claim lien or estate with which the property may subsequently become charged or for which it may subsequently become liable subject however to mortgage or other liens existing and duly recorded at the time the tax lien is recorded save and except the cost of sale and of the writ upon which it is made there shall be no inquisition or condemnation upon any judicial sale of real estate made by the Commonwealth pursuant to the provisions hereof the lien of the taxes interest and penalties shall continue for five years from the date of entry and may be revived and continued in the manner now or hereafter provided for the renewal of judgments and a writ of execution may directly issue upon such lien with-

out the issuance and prosecution to judgment of a writ of scire facias [but] provided that not less than ten days before issuance of any execution on the lien notice of the filing and the effect of the lien shall be sent by registered mail to the taxpayer at his last known post office address and provided further that the said lien shall have no effect upon any stock of goods wares or merchandise regularly sold or leased in the ordinary course of business by the person against whom said lien has been entered unless and until a writ of execution has been issued and a levy made upon said stock of goods wares and merchandise.

"Section 7 subsection (B) of section 572 of the act added May 9, 1957 (P. L. 114) is amended to read:

"Section 572 Penalties * * *

"(B) Attempt to evade or defeat tax any person who wilfully attempts in any manner to evade or defeat the tax imposed by this act or the payment thereof or to assist any other person to evade or defeat the tax imposed by this act or the payment thereof or to receive a refund improperly shall in addition to other penalties provided by law be liable for a penalty equal to one-half of the total amounty of the tax evaded.

"In any direct proceeding arising out of a petition for reassessment or refund as provided in this act in which an issue of fact is raised with respect to whether a return is fraudulent or with respect to the propriety of the imposition by the department of the penalty prescribed in this subsection (B) the burden of proof with respect to such issue shall be upon the department.

"Section 8 section 601 of the act amended May 24, 1956 (P. L. 1707) is amended to read:

"Section 601 saving [clause] clauses (A) notwithstanding anything contained in any law to the contrary the validity of any law or any ordinance or part of any law or of any ordinance or any resolution or part of any resolution and any amendments or supplements thereto now or hereafter enacted or adopted by the Commonwealth or any political subdivision thereof providing for or relating to the imposition levy or collection of any tax shall be affected or impaired by anything contained in this act.

"(B) Nothing contained in this act shall be deemed to repeal suspend modify or render inoperative any provision of the general laws of this Commonwealth heretofore or hereafter enacted prescribing any criminal offenses and penalties therefor and the criminal offenses and penalties therefor prescribed by this act shall be in addition to any criminal offenses prescribed by the general laws of this Commonwealth which may arise out of the same transaction or transactions.

"Section 9 the act of March 6, 1956 (P. L. 1256) known as "the hotel occupancy tax act" is repealed nothing contained in this section shall be construed to affect or terminate any prosecutions or other proceedings pending under the provisions of the act of March 6, 1956 (P. L. 1256) known as "the hotel occupancy tax act" or the general laws of this Commonwealth prior to this amendment or to prevent the commencement or further prosecution of any proceedings for violation of the act of March 6, 1956 (P. L. 1256) known as the hotel occupancy tax act" or of the general laws of this Commonwealth.

"Section 10 (A) the provisions of this act amending clause (A) of section 2 and clause (1) of section 203 shall be effective August 20, 1959 and April 15, 1959 respectively no refunds of taxes interest or additions paid prior to the date of the enactment of this act shall be made as a result of the amendments to clause (A) of section 2 and clause (1) of section 203.

"(B) The provisions of this act adding article IV and repealing the act of March 6, 1956 (P. L. 1256) known as "the hotel occupancy tax act" shall take effect thirty days after final enactment.

"(C) The provisions of this act amending subsection (B) of section 572 shall be effective May 24, 1956.

"(D) All other provisions of this act shall take effect immediately."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

| | | | |
|------------|-------------------|--------------------|-----------------------|
| Anderson, | Gallagher, | McCandless, | Rudisill, |
| Arlene, | Garlock, | McCann, | Sakulsky, |
| Ashton, | Goldstein, M. H., | McCormack, | Scarcelli, |
| Balthaser, | Goodrich, | McDonald, | Schaaf, |
| Barton, | Gramlich, | McLaughlin, | Schuster, |
| Bell, | Guthrie, | Machmer, | Schwartz, |
| Bonner, | Hamilton, | Mahan, | Seltzer, |
| Boris, | Heavey, | Markley, | Sherman, |
| Bower, | Heffner, | Meholchick, | Shupnik, |
| Bowman, | Helm, | Mihm, | Silverman, |
| Branca, | Henzel, | Miller, B. Z., | Snider, |
| Breth, | Hocker, | Miller, H. G., | Stank, |
| Brown, | Holliday, | Mills, | Steckel, |
| Buchanan, | Holt, | Muldowney, | Stewart, |
| Capano, | Horst, | Mullen, | Stimmel, |
| Capitolo, | Irvis, | Murphy, A. J., Jr. | Stone, |
| Cianfrani, | Isaacs, | Murray, H. P., | Stoner, |
| Cioffi, | Jim, | Murray, J. J., | Stroup, |
| Comer, | Johnson, A. W., | Musto, | Sullivan, |
| Curwood, | Johnson, R., | Nelson, | Taylor, |
| Davis, | Jones, F. R., | O'Donnell, J. P. | Thompson, |
| Dengler, | Kamyk, | Odoriso, | Tompkins, |
| Dennis, | Kee, | Ogilvie, | Trusio, |
| Dennison, | Keiser, | O'Neil, | Ujohal, |
| Devlin, | Kernaghan, | Parlante, | Varallo, |
| Dougherty, | Kessler, | Pashley, | Varnier, |
| Edwards, | Knecht, | Perry, P. E., | Verona, |
| Ellberg, | Kooker, | Perry, H. H., | Wall, |
| Eshback, | Kornick, | Petrosky, | Walsh, |
| Eshleman, | Korns, | Polaski, | Welsh, |
| Farabaugh, | Kovolenko, | Polen, | Wescott, |
| Fetterolf, | Kubitsky, | Prendergast, | Wheeler, |
| Filo, | Lamb, | Price, | Williams, A. D., Jr., |
| Fineman, | Lee, A. M., | Pursley, | Williams, E. S., |
| Floyd, | Lee, K. B., | Rebman, | Wood, |
| Flynn, | Leonard, | Renwick, | Wynd, |
| Foerster, | Light, | Rigby, | Yatron, |
| Frank, | Limper, | Riley, | Yetter, |
| Frascella, | Lopresti, | Rovansek, | Andrews, |
| Fulmer, | Luigard, | Royer, | Speaker |
| Galley, | Lutty, | | |

NAYS—4

| | | | |
|---------|----------|--------|---------|
| Munley, | Needham, | Wargo, | Worley, |
|---------|----------|--------|---------|

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Ewing, | McInroy, | O'Donnell, J. A., |
| Auker, | Fox, | McKeever, | Reidenbach, |
| Blair, | Gelfand, | Magee, | Snare, |
| Boles, | George, | Maxwell, | Stevens, |
| Brenninger, | Gibb, | Merry, | Strausser, |
| Burns, | Goldstein, J. H., | Monroe, | Weidner, |
| Clarke, | Haudenschild, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2402.

An Act amending the act of June 25, 1941 (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by

certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" removing in certain cases and changing in certain cases limitations in the borrowing of money by municipalities for capital expenditures for improvements and equipment without the issuance of bonds and declaring the effect and validating certain prior transactions for the borrowing of money.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 3, by striking out after the word "laws" the word "remaining" and inserting in lieu thereof the words "removing in certain cases and changing in certain cases"; Section 1, page 2, line 5, by striking out the bracket before the word "not"; line 6, by striking out the bracket before the word "fifteen" and by striking out after the figures "\$15,000))" the words and figures "twenty-five thousand dollars (\$25,000)"; page 3, line 4, by inserting after the word "annually" the following: "in the case of boroughs or townships either of which have a population of less than two thousand five hundred persons such indebtedness shall not exceed twenty-five thousand dollars (\$25,000)."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

| | | | |
|------------|-------------------|--------------------|-----------------------|
| Anderson, | Gallagher, | McCandless, | Royer, |
| Arlene, | Garlock, | McCann, | Rudisill, |
| Ashton, | Goldstein, M. H., | McCormack, | Sakulsky, |
| Balthaser, | Goodrich, | McDonald, | Scarcelli, |
| Barton, | Gramlich, | McLaughlin, | Schaaf, |
| Bell, | Guthrie, | Machmer, | Schuster, |
| Bonner, | Hamilton, | Mahan, | Schwartz, |
| Boris, | Heavey, | Markley, | Seltzer, |
| Bower, | Heffner, | Meholchick, | Sherman, |
| Bowman, | Helm, | Mihm, | Shupnik, |
| Branca, | Henzel, | Miller, B. Z., | Silverman, |
| Breth, | Hocker, | Miller, H. G., | Snider, |
| Brown, | Holliday, | Mills, | Stank, |
| Buchanan, | Holt, | Muldowney, | Steckel, |
| Capano, | Horst, | Mullen, | Stewart, |
| Capitolo, | Irvis, | Munley, | Stimmel, |
| Cianfrani, | Isaacs, | Murphy, A. J., Jr. | Stone, |
| Cioffi, | Jim, | Murray, H. P., | Stoner, |
| Comer, | Johnson, A. W., | Murray, J. J., | Stroup, |
| Curwood, | Johnson, R., | Musto, | Sullivan, |
| Davis, | Jones, F. R., | Needham, | Taylor, |
| Dengler, | Kamyk, | Nelson, | Thompson, |
| Dennis, | Kee, | O'Donnell, J. P. | Trusio, |
| Dennison, | Keiser, | Odoriso, | Ujohal, |
| Devlin, | Kernaghan, | Ogilvie, | Varallo, |
| Dougherty, | Kessler, | O'Neil, | Varnier, |
| Edwards, | Knecht, | Parlante, | Verona, |
| Ellberg, | Kooker, | Pashley, | Wall, |
| Eshback, | Kornick, | Perry, H. H., | Walsh, |
| Eshleman, | Korns, | Perry, P. E., | Wargo, |
| Farabaugh, | Kovolenko, | Petrosky, | Welsh, |
| Fetterolf, | Kubitsky, | Polaski, | Wescott, |
| Filo, | Lamb, | Polen, | Wheeler, |
| Fineman, | Lee, A. M., | Prendergast, | Williams, A. D., Jr., |
| Floyd, | Lee, K. B., | Price, | Williams, E. S., |
| Flynn, | Leonard, | Pursley, | Wood, |
| Foerster, | Light, | Rebman, | Worley, |

| | | | |
|--|--|---|--|
| Frank, Frascella, Fulmer, Galley, | Limper, Lopresti, Luigard, Lutty, | Renwick, Rigby, Riley, Rovanske, | Wynd, Yatron, Yetter, Andrews, Speaker |
|--|--|---|--|

NAYS—1

Tompkins,

NOT VOTING—45

| | | | |
|--|--|--|---|
| Agnew, Auker, Blair, Boles, Brenninger, Burns, Clarke, Cooper, Crossin, Donahue, Donaldson, Down, | Ewing, Fox, Gelfand, George, Gibb, Goldstein, J. H., Haudenshield, Jenkins, Jones, T. H. W., Jump, Lippincott, | McInroy, McKeever, Magee, Maxwell, Merry, Monroe, Moran, Murphy, P. J., Murray, P. G., Naugle, O'Dell, | O'Donnell, J. A., Reidenbach, Snare, Stevens, Strausser, Weidner, Whittaker, Willard, Willaredt, Wilt, Zimmerman, |
|--|--|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2430.

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "An act to provide by imposing a State tax relating to certain documents and transactions prescribing and regulating the method and manner of evidencing the payment of such tax conferring powers and imposing duties upon certain persons partnerships associations and corporations sheriffs recorders of deeds and the Department of Revenue saving certain State and local taxes and authorizing amendments extensions and supplements to the ordinances and resolutions relating thereto and providing penalties" redefining documents to exclude certain repossessions following defaults in purchase obligations.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 3, by inserting after "(P. L. 322)" the words "and amended November 19, 1959, Act No. 551"; Section 2, page 3, line 6, by inserting after the word "proceedings" the following: "or reconveyance by the condemning body of the property condemned to the owner of record at the time of condemnation which reconveyance may include property line adjustments provided said reconveyance is made within one year from the date of condemnation.

Amend Section 2, page 4, line 3, by inserting after the first word "the" the words "vendor holding the" and by striking out after the word "money" the word "mortgagee" and inserting in lieu thereof the word "mortgage."

On the question.

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

| | | | |
|---|--|---|---|
| Anderson, Arlene, Ashton, Balthaser, Barton, Bell, Bonner, Boris, Bower, Bowman, Branca, Breth, Hocker, Brown, Buchanan, Capano, Capitolo, Cianfrani, Cioffi, Comer, Curwood, Davis, Dengler, Dennis, Dennison, Devlin, Dougherty, Edwards, Eilberg, Eshback, Eshleman, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Fulmer, Galley, | Gallagher, Garlock, Goldstein, M. H., Goodrich, Gramlich, Guthrie, Hamilton, Heavey, Hefner, Helm, Henzel, Hocker, Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murray, H. P., Musto, Needham, Nelson, O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanske, | McCandless, McCann, McCormack, McDonald, McLaughlin, Machmer, Mahan, Markley, Meholchick, Mihm, Miller, B. Z., Miller, H. G., Mills, Muldowney, Mullen, Munley, Murphy, A. J., Jr., Murray, H. P., Musto, Needham, Nelson, O'Donnell, J. P., Odorisio, Ogilvie, O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Renwick, Rigby, Riley, Rovanske, | Royer, Rudisill, Sakulsky, Scarcelll, Schaaf, Schuster, Schwartz, Seltzer, Sherman, Shupnik, Silverman, Snider, Stank, Steckel, Stewart, Stimmel, Stone, Stoner, Stroup, Sullivan, Taylor, Thompson, Tompkins, Trusio, Ujohal, Varallo, Varner, Verona, Wall, Walsh, Wargo, Welsh, Wescott, Wheeler, Williams, A. D., Jr., Williams, E. S., Wood, Wynd, Yatron, Yetter, Andrews, Speaker |
|---|--|---|---|

NAYS—1

Worley,

NOT VOTING—45

| | | | |
|--|--|--|---|
| Agnew, Auker, Blair, Boles, Brenninger, Burns, Clarke, Cooper, Crossin, Donahue, Donaldson, Down, | Ewing, Fox, Gelfand, George, Gibb, Goldstein, J. H., Haudenshield, Jenkins, Jones, T. H. W., Jump, Lippincott, | McInroy, McKeever, Magee, Maxwell, Merry, Monroe, Moran, Murphy, P. J., Murray, P. G., Naugle, O'Dell, | O'Donnell, J. A., Reidenbach, Snare, Stevens, Strausser, Weidner, Whittaker, Willard, Willaredt, Wilt, Zimmerman, |
|--|--|--|---|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2443.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof

and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further regulating the preparation of the budget in accordance with the recent constitutional amendment and regulating disbursements from appropriations made to the department of military affairs imposing duties on the state veterans commission and the deputy adjutant general in charge of military affairs

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 2, line 12, by inserting after the word "amendment" the following: "and regulating disbursements from appropriations made to the department of military affairs imposing duties on the state veterans commission and the deputy adjutant general in charge of military affairs" page 5, by inserting after line 7 a new section as follows:

"Section 2 Section 1411 of the act amended November 10, 1959 (act No. 513) is amended by adding at the end thereof a new clause to read

Section 1411 State Veterans Commission the State Veterans Commission shall have the power and its duty shall be

"* * *

"(E) To certify for payment gratuities for the children between the ages of sixteen and twenty-one years of totally disabled veterans and of soldiers marines female clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died or Spanish American War or World War service connected disabilities and of totally disabled veterans and of members of the armed forces of the United States and of women's organizations officially connected therewith who die or have died of World War II or the armed conflict in Korea service connected disabilities as certified from veterans administration records such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application was filed certification by the State Veterans Commission shall be made when the children meet the following requirements.

"(1) As coming within the class of children described above

"(2) As attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans Commission and

"(3) As being unable without such gratuity to pursue his or her education or training payments not exceeding two hundred dollars (\$200) per September per child shall be made to such institution upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year such proof shall be submitted to the State veterans commission which shall

attach the same to the requisitions prepared for payments out of appropriations made for such purpose

"When a child within the class of children eligible to receive a gratuity authorized by this section is completing an educational or training course and becomes twenty-one years of age before completing the course the gratuity may be paid until the course is completed provided that gratuities may not be paid for any child for a longer period than four scholastic years" page 8, line 10, by striking out after the word "Section" the numeral "2" and inserting in lieu there the numeral "3"; and by inserting after the word "effect" the following: "immediately except the provisions relating to budgets set forth in section 1 of this act which shall take effect"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|--------------------|----------------------|
| Anderson, | Garlock, | McCormack, | Sakulsky, |
| Arlene, | Goldstein, M. H., | McDonald, | Scarcell, |
| Ashton, | Goodrich, | McLaughlin, | Schaaf, |
| Balthaser, | Gramlich, | Machmer, | Schuster, |
| Barton, | Guthrie, | Mahan, | Schwartz, |
| Bell, | Hamilton, | Markley, | Seltzer, |
| Bonner, | Heavey, | Meholchick, | Sherman, |
| Boris, | Heffner, | Mihm, | Shupnik, |
| Bower, | Helm, | Miller, B. Z., | Silverman, |
| Bowman, | Henzel, | Miller, H. G., | Snider, |
| Branca, | Hocker, | Mills, | Stank, |
| Breth, | Holliday, | Muldowney, | Steckel, |
| Brown, | Holt, | Mullen, | Stewart, |
| Buchanan, | Horst, | Munley, | Stimmel, |
| Capano, | Irlis, | Murphy, A. J., Jr. | Stone, |
| Capitolo, | Isaacs, | Murray, H. P., | Stoner, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Musto, | Sullivan, |
| Comer, | Johnson, R., | Needham, | Taylor, |
| Curwood, | Jones, F. R., | Nelson, | Thompson, |
| Davis, | Kamyk, | O'Donnell, J. P. | Tompkins, |
| Dengler, | Kee, | O'Dorlato, | Trusio, |
| Dennis, | Kelser, | Oglvie, | Ujohal, |
| Dennison, | Kernaghan, | O'Neil, | Varallo, |
| Devlin, | Kessler, | Parlante, | Varnier, |
| Dougherty, | Knecht, | Pashley, | Verona, |
| Edwards, | Kooker, | Perry, H. H., | Wall, |
| Ellberg, | Kornick, | Perry, P. E., | Walsh, |
| Eshback, | Korna, | Petrosky, | Wargo, |
| Eshleman, | Kovolenko, | Polaski, | Welsh, |
| Farabaugh, | Kubitsky, | Polen, | Wescott, |
| Fetterolf, | Lamb, | Prendergast, | Wheeler, |
| Filo, | Lee, A. M., | Price, | Williams, A.D., Jr., |
| Fineman, | Lee, K. B., | Pursley, | Williams, E. S., |
| Floyd, | Leonard, | Reibman, | Wood, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Frank, | Lopresti, | Riley, | Yatron, |
| Frascella, | Lulgard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Andrews, |
| Galley, | McCandless, | Rudisill, | Speaker |
| Gallagher, | McCann, | | |

NAYS—0

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Boles, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weidner, |
| Cooper, | Haudensheld, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 900

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 900.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 900, entitled: "An act amending the act of June 24, 1937 (P. L. 2017), entitled 'An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; * * * including neglected children within the powers and duties of the local authorities.'"

Respectfully submit the following bill as our report:

A. R. PECHAN,
THOMAS A. EHRGOOD,
(Committee on the part of the Senate.)

PETER G. SCHAAF,
WALTER T. KAMYK,
MARION E. MARKLEY,

(Committee on the part of the House of Representatives.)

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" including neglected children within the powers and duties of the local authorities.

The General Assembly of the Commonwealth of Pennsylvania enacts as follows:

Section 1. Clauses (a) and (b) of section 401 and section 405 act of June 24, 1937 (P. L. 2017), known as the "County Institution District Law" are amended to read:

Section 401. Powers and Duties as to Care of Dependents and Children. The Local authorities shall have the power and it shall be their duty with funds of the institution district or of the city according to rules regulation and standards established by the State Department of Welfare.

(a) To care for any neglected child or for any dependent whether adjudicated as neglected or dependent by a court or not having a settlement in the county or city who is not otherwise cared for.

(b) To contract with other local authorities for the care

of any such neglected child or for any dependent whether adjudicated as neglected or dependent by a court or not.

* * *

Section 405. Powers and Duties of Local Authorities As to Children. The local authorities of any institution district shall have the power and it shall be their duty to place in foster homes or in institutions or homes for children all neglected or dependent children [who are in or committed to their charge and] whether adjudicated as neglected or dependent by a court or not whose placement and care are not otherwise provided for by law.

No child under the age of sixteen years shall unless he is mentally or physically handicapped and no other care is available for him be admitted to or maintained in an institution conducted by the local authorities other than a hospital or sanitarium.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 900.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Garlock, | McCormack, | Sakulsky, |
| Arlene, | Goldstein, M. H., | McDonald, | Scarcelli, |
| Ashton, | Goodrich, | McLaughlin, | Schaaf, |
| Balthaser, | Gramlich, | Machmer, | Schuster, |
| Barton, | Guthrie, | Mahan, | Schwartz, |
| Bell, | Hamilton, | Markley, | Seltzer, |
| Breth, | Heavey, | Meholchick, | Sherman, |
| Bonner, | Heffner, | Mihm, | Shupnik, |
| Boris, | Helm, | Miller, B. Z., | Silverman, |
| Bower, | Henzel, | Miller, H. G., | Snider, |
| Bowman, | Hocker, | Mills, | Stank, |
| Branca, | Holliday, | Muldowney, | Steckel, |
| Brown, | Holt, | Mullen, | Stewart, |
| Buchanan, | Horst, | Munley, | Stimmel, |
| Capano, | Irvins, | Murphy, A. J., Jr., | Stone, |
| Capitolo, | Isaacs, | Murray, H. P., | Stoner, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cioffi, | Johnson, A. W., | Musto, | Sullivan, |
| Comer, | Johnson, R., | Needham, | Taylor, |
| Curwood, | Jones, F. R., | Nelson, | Thompson, |
| Davis, | Kamyk, | O'Donnell, J. P., | Tompkins, |
| Dengler, | Kee, | O'Dorisio, | Trusio, |
| Dennis, | Keiser, | Ogilvie, | Ujobal, |
| Dennison, | Kernaghan, | O'Neill, | Varallo, |
| Devlin, | Kessler, | Parlante, | Varner, |
| Dougherty, | Knecht, | Pashley, | Verona, |
| Edwards, | Kooker, | Perry, H. H., | Wall, |
| Elberg, | Kornick, | Perry, P. E., | Walsh, |
| Eshback, | Korns, | Petrosky, | Wargo, |
| Eshleman, | Kovolenko, | Polaski, | Welsh, |
| Farabaugh, | Kubitsky, | Polen, | Wescott, |
| Fetterolf, | Lamb, | Prendergast, | Wheeler, |
| Filo, | Lee, A. M., | Price, | Williams, A. D., Jr., |
| Fineman, | Lee, K. B., | Pursley, | Williams, E. S., |
| Floyd, | Leonard, | Reibman, | Wood, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Frank, | Lopresti, | Riley, | Yatron, |
| Frascella, | Luigard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | Andrews, |
| Galley, | McCandless, | Rudisill, | Speaker |
| Gallagher, | McCann, | | |

NAYS—0

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Boles, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weidner, |
| Cooper, | Haudenschild, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1675

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1675.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1675, entitled: "An act amending the act of April 29, 1959 (P. L. 58), entitled 'An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors' authorizing the erection of "yield right-of-way" signs; describing the duties of operators thereat and providing a penalty for the violation thereof."

Respectfully submit the following bill as our report:

GEO. N. WADE,
G. ROBERT WATKINS
WILLIAM J. LANE,
(Committee on the part of the Senate.)

CHARLES D. STONE,
LEO J. McLAUGHLIN,
JOSEPH W. ISSACS,

(Committee on the part of the House of Representatives.)

An Act amending the act of April 29, 1959 (P. L. 58), entitled 'An act consolidating and revising the Vehicle Code the Tractor Code the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership possession and use of vehicles and tractors' authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of April 29, 1959 (P. L. 58), known as "The Vehicle Code" is amended by adding after section 1016 a new section to read:

Section 1016.1 Vehicles and Tractors Must Yield Right-of-Way. It shall be unlawful for the driver of a vehicle or a tractor approaching a "yield right-of-way" sign to fail to slow to a speed reasonable for existing conditions of traffic and visibility to hesitate and to yield the right-of-way to all vehicles or tractors on the intersecting highway which have entered the intersection or are so close to the intersection as to constitute immediate hazard. The vehicle or tractor approaching the "yield right-of-way" sign shall hesitate and if necessary stop to avoid collision or interference with the vehicle or tractor on the through highway. Such interference shall be deemed prima facie evidence of the failure of the operator approaching the "yield right-of-way" sign to so yield.

Penalty. Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five dollars (\$5.00) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than three (3) days.

Section 2. The title of section 1112 of the act is amended and two new subsections are added at the end thereof to read:

Section 1112. Establishment of Thru Highways [and] Stop Intersection and Yield Intersection.

* * *

(e) No provision in this section shall be construed to authorize the Secretary of Highways or local authorities with reference to highways in their jurisdiction to designate 4-way stop intersections or to designate multi-way stop intersections where two or more highways intersect. Any such designation shall be void for all purposes.

(f) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in cities boroughs incorporated towns and townships of the first class with reference to highways under their jurisdiction are hereby authorized to erect "yield right-of-way" signs at one or more approaches to an intersection of streets and highways. No provision of this section shall be construed to authorize the Secretary of Highways or local authorities with reference to highways under their jurisdiction to designate 4-way "yield" intersections or to designate multi-way "yield" intersections where two or more highways intersect except that "yield" signs may be used to control right turns where separate or channelized right turn lanes are provided. Every "yield right-of-way" sign hereafter erected shall conform to the specifications and be erected in accordance with the warrants established by the Secretary of Highways before local authorities shall erect "yield right-of-way" signs on a highway which will intersect or affect a State highway approval thereof must first be obtained from the Secretary of Highways. Every "yield right-of-way" sign shall be located at or near the entrance to the intersection where motorists are required to yield the right-of-way.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN, Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 1675.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

| | | | |
|------------|-------------------|--------------------|-----------------------|
| Anderson, | Garlock, | McCormack, | Scarcelli, |
| Arlene, | Goldstein, M. H., | McDonald, | Schaaf, |
| Ashton, | Goodrich, | McLaughlin, | Schuster, |
| Balthaser, | Gramlich, | Machmer, | Schwartz, |
| Barton, | Guthrie, | Mahan, | Seltzer, |
| Bell, | Hamilton, | Markley, | Sherman, |
| Bonner, | Heavey, | Meholchick, | Shupnik, |
| Boris, | Heffner, | Mihm, | Silverman, |
| Bower, | Helm, | Miller, B. Z., | Snider, |
| Bowman, | Henzel, | Miller, H. G., | Stank, |
| Breth, | Hocker, | Mills, | Steckel, |
| Branca, | Holliday, | Muldowney, | Stewart, |
| Brown, | Holt, | Mullen, | Stimmel, |
| Buchanan, | Horst, | Munley, | Stone, |
| Capano, | Irvia, | Murphy, A. J., Jr. | Stoner, |
| Capitolo, | Isaacs, | Murray, H. F., | Stroup, |
| Cianfrani, | Jim, | Murray, J. J., | Sullivan, |
| Cioffi, | Johnson, A. W., | Musto, | Taylor, |
| Comer, | Johnson, R., | Needham, | Thompson, |
| Curwood, | Jones, F. R., | Nelson, | Tompkins, |
| Davis, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dengler, | Kee, | Odoriso, | Ujobal, |
| Dennis, | Kelser, | Oglivie, | Varallo, |
| Dennison, | Kernaghan, | O'Neil, | Varner, |
| Devlin, | Kessler, | Parlante, | Verona, |
| Dougherty, | Knecht, | Pashley, | Wall, |
| Edwards, | Kooker, | Perry, H. H., | Walsh, |
| Ellberg, | Kornick, | Perry, P. E., | Wargo, |
| Eshback, | Korns, | Petrosky, | Welsh, |
| Eshleman, | Kovolenko, | Polaski, | Wescott, |
| Farabaugh, | Kubitsky, | Polen, | Wheeler, |
| Fetterolf, | Lamb, | Prendergast, | Williams, A. D., Jr., |
| Filo, | Lee, A. M., | Price, | Williams, E. S., |
| Fineman, | Lee, K. B., | Reibman, | Wood, |
| Floyd, | Leonard, | Renwick, | Worley, |
| Flynn, | Light, | Rigby, | Wynd, |
| Foerster, | Limper, | Riley, | Yatron, |
| Frank, | Lopresti, | Rovansek, | Yetter, |
| Frascella, | Luigard, | Royer, | Andrews, |
| Fulmer, | Lutty, | Rudisill, | Speaker |
| Galley, | McCandless, | Sakulsky, | |
| Gallagher, | McCann, | | |

NAYS—1

Pursley,

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Boles, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weidner, |
| Cooper, | Haudenshield, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2150

Mr. McCANN, Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2150.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2150, entitled: "An act amending the act of August 9, 1955 (P. L. 323), entitled 'An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto,' authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence due to underground mining of coal."

Respectfully submit the following bill as our report:

HAROLD E. FLACK,
PAUL L. WAGNER,

(Committee on the part of the Senate.)

LOUIS ROVANSEK,
J. DEAN POLEN,
JAMES WYND, JR.,

(Committee on the part of the House of Representatives.)

An Act amending the act of August 9 1955 (P L 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence due to underground mining of anthracite coal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act of August 9 1955 (P L 323) known as "The County Code" is amended by adding after section 1770 a new section to read

Section 1770.1 Additional Tax for Municipal Improvement The county commissioners shall have the power to levy and collect annually on the valuation assessed for general county purposes as now is or may be provided by law an additional tax not exceeding one mill which tax shall be used by the county for municipal improvements to repairable lands and buildings both public and private which have been damaged by subsidence due to underground mining of anthracite coal The tax shall be kept in a separate fund and used only for the purpose herein provided and in accordance with conditions fixed by ordinance

Preference shall be given to improvements which in-

volve public school buildings municipally owned buildings and lands as well as bridges and highways not under the jurisdiction of this Commonwealth Moneys in said fund may be invested in those securities which by law are designated as legal investments for trust funds All interest and income from said investments shall be deposited in said fund An annual accounting of all receipts and disbursements showing the status of said fund shall be filed with the county controller

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 2150.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Galley, | Lulgard, | Rudisill, |
| Ariene, | Gallagher, | Lutty, | Sakulsky, |
| Aahnton, | Garlock, | McCandless, | Scarcell, |
| Balthaser, | Goldstein, M. H., | McCann, | Schaaf, |
| Barton, | Goodrich, | McCormack, | Schuster, |
| Bell, | Gramlich, | McDonald, | Schwartz, |
| Bonner, | Guthrie, | McLaughlin, | Seltzer, |
| Boris, | Hamilton, | Machmer, | Sherman, |
| Bower, | Heavey, | Mahan, | Shupnik, |
| Bowman, | Hefner, | Markley, | Silverman, |
| Branca, | Helm, | Mihm, | Snider, |
| Breth, | Henzel, | Miller, B. Z., | Stank, |
| Brown, | Hocker, | Miller, H. G., | Steckel, |
| Buchanan, | Holliday, | Mills, | Stewart, |
| Capano, | Holt, | Muldowney, | Stimmel, |
| Capitolo, | Horst, | Mullen, | Stone, |
| Cianfrani, | Irvia, | Murphy, A. J., Jr., | Stoner, |
| Cioffi, | Isaacs, | Murray, J. J., | Stroup, |
| Comer, | Jim, | Murray, H. P. | Sullivan, |
| Curwood, | Johnson, A. W., | Nelson, | Taylor, |
| Davis, | Johnson, R., | Odorisio, | Thompson, |
| Dengler, | Jones, F. R., | Ogilvie, | Tompkins, |
| Dennis, | Kamyk, | O'Donnell, J. P., | Trusio, |
| Dennison, | Kee, | O'Neil, | Ujohal, |
| Devlin, | Kelser, | Parlante, | Varallo, |
| Dougherty, | Kernaghan, | Pashley, | Varnier, |
| Edwards, | Kessler, | Perry, H. H., | Verona, |
| Ellberg, | Knecht, | Perry, P. E., | Wall, |
| Eshback, | Kooker, | Petrosky, | Walsh, |
| Eshleman, | Kornick, | Polaski, | Welsh, |
| Farabaugh, | Korns, | Polen, | Wescott, |
| Fetterolf, | Kovolenko, | Prendergast, | Wheeler, |
| Filo, | Kubitsky, | Price, | Williams, A. D., Jr., |
| Fineman, | Lamb, | Pursley, | Williams, E. S., |
| Floyd, | Lee, A. M., | Reibman, | Wood, |
| Flynn, | Lee, K. B., | Renwick, | Worley, |
| Foerster, | Leonard, | Rigby, | Wynd, |
| Frank, | Light, | Riley, | Yatron, |
| Frascella, | Limper, | Rovansek, | Yetter, |
| Fulmer, | Lopresti, | Royer, | Andrews, |

Speaker

NAYS—5

| | | | |
|-------------|---------|--------|----------|
| Meholchick, | Munley, | Musto, | Needham, |
| | | | Wargo, |

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Boles, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weidner, |
| Cooper, | Haudenshield, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2170

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 2170.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 2170, entitled: "An act to provide for the better protection of the health, general welfare and property of people of the Commonwealth by the control, abatement, reduction and prevention of the pollution of the air by smokes, dusts, fumes, gases, odors, mists, vapors, pollens and similar matter or any combination thereof; creating within the Department of Health an Air Pollution Control Commission and defining its powers; * * * imposing penalties for violation of this act and providing for the power to enjoin violations of this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor."

Respectfully submit the following bill as our report:

ROBERT K. HAMILTON,
CHARLES D. STONE,
HARRY W. PRICE, JR.,

(Committee on the part of the House of Representatives)

ROBERT D. FLEMING,
G. R. WATKINS,
JOSEPH D. RIPP,

(Committee on the part of the Senate)

An Act to provide for the better protection of the health general welfare and property of the people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Commission and defining its powers authorizing the Department of Health to enforce rules and regulations of the Commission as provided in this act establishing Regional Air Pollution Control Associations and defining their powers reserving powers to local political subdivisions and defining the relationship between this act and the ordinances resolutions and regulations of counties cities boroughs towns and townships imposing penalties for violation of this act and providing for the power to enjoin violations of this act and conferring upon persons aggrieved certain rights and remedies and providing an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Air Pollution Control Act"

Section 2 Declaration of Policy It is hereby determined and declared to be the policy of the Commonwealth of Pennsylvania to maintain such a reasonable degree of purity of the air resources of the Commonwealth as shall be technically feasible economically reasonable and necessary for the protection of the normal health the general welfare and the property of the people of the Commonwealth The measures for the accomplishment of this purpose shall not unreasonably obstruct the attraction development and expansion of business industry and commerce within the Commonwealth but shall be technically feasible and economically reasonable The program for the control of air pollution under this act shall be undertaken in a progressive manner and each of its successive objectives shall be sought to be accomplished by a maximum of cooperation and conciliation among all the parties concerned All powers herein conferred upon the Department of Health the Air Pollution Commission or any regional air pollution control association and all powers herein reserved to any political subdivision shall be exercised solely to effectuate the policy declared in this section

Section 3 Definitions The following words and phrases when used in this act unless the context clearly indicates otherwise shall have the meaning ascribed to them in this section

(1) "Department" Department of Health of the Commonwealth of Pennsylvania

(2) "Commission" The Air Pollution Commission

(3) "Person" Any individual public or private corporation for profit or not for profit association partnership firm trust estate department board bureau or agency of the Commonwealth political subdivisions municipality district authority or any other legal entity whatsoever which is recognized by law as the subject or rights and duties

(4) "Air contaminant" Smoke dust fume gas odor mist vapor pollen or any combination thereof

(5) "Air pollution" The presence in the outdoor atmosphere of one or more air contaminants in sufficient quantity and of such characteristics and duration which is injurious to human plant or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life and property throughout the Commonwealth or throughout such areas of the Commonwealth as shall be affected thereby

(6) "Air contamination" The presence in the outdoor atmosphere of an air contaminant which contributes to any condition of air pollution

(7) "Air contamination source" Any source at from or by reason of which there is emitted into the outdoor atmosphere any air contaminant regardless of who the person may be who owns or operates the building premises or other property in or on which such source is located or the facility equipment or other property by which the emission is caused or from which the emission comes Without limiting the generality of the foregoing this term includes all types of business commercial and industrial plants works shops and stores and heating and power plants and stations buildings and other structures of all types including single and multiple family residences apartments houses office buildings public buildings hotels restaurants schools hospitals churches and other institutional buildings automobiles trucks tractors buses and other motor vehicles garages and vending and service locations and stations railroad locomotives ships boats and other waterborne craft portable fuel-burning equipment incinerators of all types indoor and outdoor refuse dumps and piles and all stack and other chimney outlets from any of the foregoing

(8) "Association" Any Regional Air Pollution Control Association provided for in this act

(9) "Region" Any geographical subdivision of the Commonwealth whose boundaries shall be determined by the commission

(10) "Subregion" Any geographical subdivision whose boundaries shall be determined by the commission

Section 4 Powers of the Department of Health in accordance with the policies of the Commission The Department shall have the power and its duty shall be to

(1) Enter any building property premises or place and inspect any air contamination source for the purpose of investigating an actual or a suspected source of air pollution or for the purpose of ascertaining the compliance or non-compliance with any rule or regulation which may have been adopted and promulgated by the commission hereunder Any information relating to secret processes or methods of manufacture or production obtained in the course of such inspection investigation or determination shall be kept confidential and shall not be subject to subpoena by any court of the Commonwealth in any civil action or any other proceeding except before the Commission as herein defined If in connection with such inspection or investigation samples of air or air contaminants are taken for analysis a duplicate of the analytical report shall be furnished promptly to the person who is suspected of causing such air pollution or air contamination

(2) Have access to and require the production of books and papers pertinent to any matter under investigation

(3) Receive and initiate complaints of air pollution in alleged violation of law or any rule or regulation promulgated under this act and to submit such complaints to

the Association of the air pollution control region in which such complaints arise. Provided however that where the source of air pollution is within one Region and the effects thereof extend to another Region or Regions as determined by appropriate surveys by the Department the said complaint shall be forwarded to the Commission.

(4) Investigate complaints institute and conduct surveys and testing programs conduct general atmospheric sampling programs make observations of conditions which may or do cause air pollution make tests or other determinations at air contamination sources and assess the degree of abatement required.

(5) When directed by the Commission institute or cause to be instituted in a court of competent jurisdiction proceedings to compel compliance with any order of the Commission from which there has been no appeal or which has been sustained on appeal.

(6) Act as the agent for the Commission in holding public hearings when so directed by the commission.

(7) Enforce orders for compliance with rules and regulations of the commission.

(8) Recommend the minimum job qualifications of personnel employed by county and municipal air pollution control agencies hereafter created.

(9) Accept and at the request of the Commission require to be submitted to it and consider for approval plans and specifications of air pollution control equipment devices or process changes and inspect such installations or modifications to insure compliance with the plans which may have been so approved by it.

(10) Conduct or cause to be conducted studies and research with respect to air contaminants their nature causes and affects and with respect to the control prevention abatement and reduction of air pollution and air contamination.

(11) Determine by means of field studies and sampling the degree of air pollution existing in any part of the Commonwealth.

(12) Prepare and develop a general comprehensive plan for the control and abatement of existing air pollution and air contamination and for the abatement control and prevention of any new air pollution and air contamination recognizing varying requirements for the different areas of the Commonwealth and to submit a comprehensive plan to the Commission for its consideration and approval.

(13) Encourage the formulation and execution of plans in conjunction with air pollution control agencies or civil associations of counties cities boroughs towns and townships of the Commonwealth wherein any sources of air pollution or air contamination may be located and enlist the cooperation of those who may be in control of such sources for the control prevention and abatement of such air pollution and air contamination.

(14) Encourage voluntary efforts and cooperation by all persons concerned in controlling preventing abating and reducing air pollution and air contamination.

(15) Conduct and supervise educational programs with respect to the control prevention abatement and reduction of air pollution and air contamination including the preparation and distribution of information relating to the means of controlling and preventing such air pollution and air contamination.

(16) Develop and conduct in cooperation with local communities demonstration programs relating to air contaminants air pollution and air contamination and the control prevention abatement and reduction of air pollution and air contamination.

(17) Provide advisory technical consultative services to local communities and to the regional air pollution control associations for the control prevention abatement and reduction of air pollution and air contamination.

(18) Cooperate with the appropriate agencies of the United States or of other States or any interstate agencies with respect to the control prevention abatement and reduction of air pollution and where appropriate formulate interstate air pollution control compacts or agreements for the submission thereof to the General Assembly.

(19) Serve as the agency of the Commonwealth for the receipt of monies from the Federal government or other

public or private agencies and expend such monies for studies and research with respect to air contaminants air pollution and the control prevention abatement and reduction of air pollution.

(20) Do any and all other acts and things not inconsistent with any provision of this act which it may deem necessary or proper for the effective enforcement of this act and the rules or regulations which have been promulgated thereunder.

Section 5 The Air Pollution Commission (a) There is hereby created in the Department an Air Pollution Commission which shall consist of five governmental members and six public members. The public members shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate.

(b) The governmental members shall be the Secretaries of the Department of Health Department of Commerce Department of Labor and Industry Department of Mines and Mineral Industries Department of Agriculture or persons designated by them.

(c) Of the six public members one shall be a member of the general public. Of the remaining five members one member shall be an industrial toxicologist experienced and competent in the toxicology of air contaminants. Three members shall be representative of industry and as such shall be employed by a manufacturer or a public utility carrying on a manufacturing or public utility business within the Commonwealth and shall be experienced and competent in matters of air pollution control of which three members at least one member shall be a licensed professional engineer trained and experienced in matters of air pollution control and the remaining one member shall be an additional licensed professional engineer trained and experienced in matters of air pollution control. All the public members of the Commission shall be residents of the Commonwealth.

(d) The term of each public member shall be four (4) years or until a successor is duly appointed. The members of the Commission other than the governmental members shall receive twenty-five dollars (\$25.00) per diem while actually engaged in the work of the Commission and each of them shall be allowed the necessary and actual expense which he shall incur in the performance of his duties under this act.

(e) The commission shall elect a chairman and vice chairman every two years provided however that the first chairman of the commission shall be the Secretary of Health.

(f) The Commission shall have the power and its duty shall be to

(1) Certify to the Governor as soon as is practicable the number and boundaries of regions and subregions as defined herein and in the event that the number of regions or the boundaries thereof are subsequently changed to certify such changes to the Governor by resolution at a subsequent meeting.

(2) Adopt rules and regulations for the control of air pollution in Regions or parts thereof after reviewing studies made by the department in those regions or parts thereof and such suggested rules and regulations have been reviewed by the Association of the Region affected provided however that if such rules and regulations are designed to correct an air pollution condition which affects more than one region it shall be necessary for the Commission to submit such rules and regulations to the associations affected to carry out the purpose and intent of this act. All rules and regulations shall be adopted by the Commission in accordance with the provisions of the act of June 4, 1945 (P. L. 1388) known as the "Administrative Law" and its amendments. In exercising its authority to adopt rules and regulations the Commission may and to the extent deemed desirable by it shall consult with a council of technical advisers properly qualified by education or experience in air pollution matters appointed by the Commission and to serve at the pleasure of the Commission to consist of such number of advisers as the Commission may appoint but such technical advisers shall receive no compensation for their services to the Commission.

(3) Adopt rules and regulations for the orderly conduct of business before it

(4) Hold meetings or hearings at the call of the Chairman but in no event shall meetings be held less than six times per year

(5) Hear and determine all complaints of alleged violations of the rules and regulations of the Commission which complaints have been referred to it by any Association or by the Department as provided by Section 4 (3) of this Act Any and all action by the Commission taken with reference to any complaint shall be in the form of an adjudication and all such action shall be subject to the provisions of the Administrative Agency Law the Act of June 4, 1945 (P. L. 1388) as amended insofar as the rights of any person aggrieved are concerned

(6) To prescribe and disseminate to Associations a form of complaint which such Associations shall make available to persons desiring to make a complaint

(7) Require the necessary and proper steps to minimize the effect hazard or nuisance from air pollution and issue appropriate orders for compliance with rules and regulations for the control abatement reduction and prevention of air pollution and stipulate in such orders a time by which compliance shall be made

(8) Establish and publish maximum quantities of air contaminants that may be permitted under various conditions at the point of use from any air contaminant source in various areas of the Commonwealth so as to control air pollution

(g) Any party aggrieved as defined in the act of June 4, 1945 (P. L. 1388) known as the "Administrative Agency Law" and its amendments by any order decision or determination of the Commission made pursuant to the provisions of this act shall have the right to appeal such order decision or determination in the manner provided for by and subject to all the provisions of the act of June 4, 1945 (P. L. 1388) known as the "Administrative Agency Law" and its amendments

Section 6 Regional Air Pollution Control Associations (a) In each of the Regions designated by the Commission there shall be established an Association consisting of a representative of industry and of labor and a county commissioner of one of the counties comprising the Region In addition thereto each Association shall be comprised of a resident of each of the counties of the region concerned All members of such Association including the chairman shall be appointed by the Governor and shall serve at his pleasure

(b) Each Association shall have the power and its duty shall be to

(1) Review and comment upon all proposed regulations of the Commission peculiar to the Region within a period of ninety days If the Commission shall not have received comments from the Association within ninety days of their submission to the Association such suggested rules and regulations shall be adopted by the Commission

(2) Suggest to the Commission such regulations as may seem suitable to the conditions of that region

(3) Consider complaints regarding air pollution within their respective Regions In the consideration of such complaints an Association shall attempt through the use of maximum of conference conciliation and persuasion to abate control reduce or prevent air pollution within the region pursuant to the rules and regulations of the Commission Within six months of the receipt of any complaint an Association shall report to the Commission regarding the disposition of the complaint In the event that the efforts of an Association are unavailing with respect to the air pollution problem and problems set forth in a complaint an Association shall refer such complaint to the Commission for appropriate action If within sixty (60) days after an Association has reported to the Commission a satisfactory disposition of a complaint another complaint concerning the same problems or persons whichever the case may be is filed with an Association this complaint shall be forthwith referred to the Commission for appropriate action

(4) Cooperate with persons within the Region to develop a program for the prevention abatement control and reduction of air pollution within the Region

(5) Avail itself of the services of the Department of Health for technical service or advice whenever it is necessary for a proper understanding of the problems within the Region

(6) Meet at the call of the chairman of the Association or of the chairman of the Commission but in no event shall the Association meet less than four times a year

(7) Submit to the Commission a copy of all complaints received by the Association and action taken thereon

(8) Utilize such stenographic and clerical assistance of the Department as is necessary for the conduct of the business of the Association

(9) Enter into an agreement with the Department of Health for the reimbursement of all necessary expenses of the Association

(10) Provide for convenient headquarters for the Association In the absence of any cogent reason the headquarters of the Association shall be situated in the regional office of the Department of Health and such office shall be supplied by the Department to the Association at no charge

(c) Each Association shall be considered an autonomous body insofar as the conduct of its business is concerned notwithstanding the fact that it may utilize such services of the Department as are herein provided and notwithstanding the fact that it must comply with subsection (b) (3) of this Section

Section 7 Public Hearings (a) Public hearings shall be held by the commission or by the Department acting on behalf and at the direction or request of the Commission in any Region of the Commonwealth affected before any rules or regulations with regard to the control abatement prevention or reduction of air pollution are adopted for that Region or subregion In the case where it become necessary to adopt rules and regulations for the control abatement prevention or reduction of air pollution for any area of the Commonwealth which encompasses more than one Region or parts of more than one Region public hearings shall be held in the area concerned full stenographic transcripts shall be taken of all public hearings and shall be made available by the department to any party concerned with the subject matter of the hearing upon the payment of prevailing rates for such transcripts

(b) In addition to the matters discussed at the public hearings the Commission may in its discretion solicit the views in writing of persons who may be affected by or interested in proposed rules and regulations

(c) Notice to the public of the time and place of any public hearing shall be given at least thirty (30) days prior to the scheduled date of the hearing by public advertisement in a newspaper or newspapers of general circulation in the region of the Commonwealth affected

(d) The persons designated to conduct the hearing shall have the power to issue notices of hearings in the name of the Commission

(e) Full opportunity to be heard with respect to the subject of the hearing shall be given to all persons in attendance in addition to which persons whether or not in attendance may within thirty (30) days submit their views to the Department which the Department shall transmit to the Commission with its report

(f) No information relating to secret processes or methods of manufacture or production shall be disclosed at any public hearing or otherwise and all such information shall be kept confidential

Section 8 Unlawful conduct It shall be unlawful to refuse to comply with any rule or regulation or order of the Commission or to assist in the violation of any of the provisions of this act or rules and regulations adopted hereunder or to in any manner hinder obstruct delay resist prevent or in any way interfere or attempt to interfere with the Department or its personnel in the performance of any duty hereunder or refuse to permit such personnel to perform their duty by refusing them after proper identification or presentation of a written order of the Department entrance at reasonable hours to any premises

Section 9 Penalties (a) Summary offense Any person as herein defined except a department board bureau or agency of the Commonwealth political subdivision munic-

ipality district or authority engaging in unlawful conduct as set forth in Section 8 of this act shall for each offense upon conviction thereof in a summary proceeding before a Magistrate Alderman or Justice of the Peace be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30.00) nor more than three hundred (\$300.00) and in default thereof to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days

(b) Misdemeanors Any person as herein defined except a department board bureau or agency of the Commonwealth political subdivision municipality district or authority convicted of a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) or to undergo imprisonment not exceeding one year or both in the discretion of the court

(c) For the purpose of this section violations on separate days shall be considered separate offenses

Section 10 Application for Injunctive Relief (a) In addition to any other remedies provided for in this act the Commission may request the Attorney General to petition the court of common pleas in the county in which the defendant resides or has his place of business for an injunction to restrain all violations of this act

(b) The penalties and remedies prescribed by this act shall be deemed concurrent and the existence of or exercise of any remedy shall not prevent the Commission from exercising any other remedy hereunder at law or in equity

Section 11 Powers Reserved to the Department under Existing Laws Nothing in this act shall limit the powers conferred upon the Department to control and abate nuisances detrimental to the public health as is provided in Section 2101 and the Administrative Code of 1929 the act of April 9, 1929 (P. L. 177) as amended.

Section 12 Powers Reserved to Political Subdivisions Nothing in this act shall prevent counties cities towns townships or boroughs from enacting ordinances with respect to air pollution which will not conflict with the provisions of this act or the rules and regulations promulgated pursuant to its provisions This act shall not be construed to repeal existing ordinances resolutions or regulations of the aforementioned political subdivisions existing at the time of the effective date of this act except as they may conflict with the provisions of this act

The provisions of this act shall not apply to any city or county which has an air pollution control agency except in the case in which a source or suspected source of air pollution exists in such city or county the effects of which extend beyond the boundaries of the city or county concerned Notwithstanding any other provision of this act (including the provisions of section 2 of this act) nothing in this act shall limit the powers conferred under existing laws upon counties of the first and second class to enact and enforce through the County Health Department or otherwise ordinances or rules and regulations controlling and regulating air pollution or the emission of smoke

Section 13 Appropriation There is hereby appropriated to the Department of Health the sum of fifty thousand dollars (\$50,000.00) or as much thereof as is necessary to carry out the provisions of this act all moneys expended pursuant to the provisions of this act shall be expended consistent with the policies of the commission

Section 14 Severability The provisions of this act are severable and if any provisions sentence clause section or part thereof shall be held illegal invalid unconstitutional or inapplicable to any person or circumstances such illegality invalidity unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions sentences clauses sections or parts of the ordinance or their application to him or to other persons and circumstances it is hereby declared to be the legislative intent that this act would have been adopted if such illegal invalid or unconstitutional provisions sentence clause section or part had not been included therein and if the person or circumstances to which the ordinance or any part

thereof is inapplicable had not specifically been exempted therefrom

Section 15 Effective Date This act shall take effect immediately Provided however that the rules and regulations promulgated pursuant to the provisions of this act shall be of no effect until one (1) year after the passage of this act

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 2170.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Gallagher, | McCandless, | Rudisill, |
| Arlene, | Garlock, | McCann, | Sakulsky, |
| Ashton, | Goldstein, M. H., | McCormack, | Scarceili, |
| Balthaser, | Goodrich, | McDonald, | Schuster, |
| Barton, | Gramlich, | McLaughlin, | Schwartz, |
| Bell, | Guthrie, | Machmer, | Schaaf, |
| Boris, | Hamilton, | Mahan, | Sherman, |
| Bower, | Heavey, | Markley, | Seltzer, |
| Bonner, | Heffner, | Meholchick, | Shupnik, |
| Bowman, | Helm, | Mihm, | Silverman, |
| Branca, | Henzel, | Miller, B. Z., | Snider, |
| Breth, | Hocker, | Miller, H. G., | Stank, |
| Brown, | Holliday, | Mills, | Steckel, |
| Buchanan, | Holt, | Muldowney, | Stewart, |
| Capano, | Horst, | Mullen, | Stimmel, |
| Capitolo, | Irviss, | Munley, | Stone, |
| Cianfrani, | Isaacs, | Murphy, A. J., Jr., | Stoner, |
| Cloffi, | Jim, | Murray, H. P., | Stroup, |
| Comer, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Curwood, | Johnson, R., | Musto, | Taylor, |
| Davis, | Jones, F. R., | Needham, | Thompson, |
| Dengler, | Kamyk, | Nelson, | Tompkins, |
| Dennis, | Kee, | O'Donnell, J. P., | Trusio, |
| Dennison, | Keiser, | O'Neill, | Ujobai, |
| Devlin, | Kernaghan, | Odorisio, | Varallo, |
| Dougherty, | Knecht, | Ogilvie, | Varner, |
| Edwards, | Kessler, | Parlante, | Verona, |
| Eilberg, | Kooker, | Pashley, | Wall, |
| Eshback, | Kornick, | Perry, H. H., | Walsh, |
| Eshleman, | Korns, | Perry, P. E., | Wargo, |
| Farabaugh, | Kovolenko, | Petrosky, | Welsh, |
| Fetterolf, | Kubitsky, | Polaski, | Wescott, |
| Filo, | Lamb, | Polen, | Wheeler, |
| Fineman, | Lee, A. M., | Prendergast, | Williams, E. S., |
| Floyd, | Lee, K. B., | Price, | Williams, A. D., Jr., |
| Flynn, | Leonard, | Pursley, | Wood, |
| Foerster, | Light, | Reibman, | Worley, |
| Frank, | Limper, | Renwick, | Wynd, |
| Frascella, | Lopresti, | Rigby, | Yatron, |
| Fulmer, | Luigard, | Riley, | Yetter, |
| Galley, | Lutty, | Rovansek, | Andrews, |
| | | Royer, | Speaker |

NAYS—0

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Boles, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weidner, |
| Cooper, | Haudenshield, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON SENATE BILL No. 785

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 785.

REPORT OF THE COMMITTEE OF CONFERENCE ON
SENATE BILL No. 785

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 785, entitled: "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto' providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
ROBERT D. FLEMING,
HARRY E. SEYLER,

(Committee on the part of the Senate)

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 785

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 785.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 785, entitled: "An Act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto' providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
ROBERT D. FLEMING,
HARRY E. SEYLER,

(Committee on the part of the Senate)

JEANETTE F. REIBMAN,
JOHN R. GAILEY, JR.,
WILLIAM H. ASHTON,

(Committee on the part of the House of Representatives)

An Act amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 251 act of March 10 1949 (P L 30) known as the "Public School Code of 1949" amended August 19 1953 (P L 1174) is amended to read

Section 251 How Formed Any two or more school dis-

tricts which constitute part or all of the districts in an approved administrative unit may form a union school district in the following manner Each of the districts desiring to form a union school district shall present a petition to the county commissioners of the county where such district is located signed by at least a majority of the members of the board of school directors of each of said districts or any elector of either district may present a petition to the county commissioners signed by at least twenty-five per centum (25%) of the registered electors of each district The county commissioners shall take no action upon such petitions until they have been approved in writing by the Superintendent of Public Instruction After such petitions have been approved and filed it shall be the duty of the county commissioners to submit to the electors of the respective districts desiring to form a union school district at the next general or municipal election a question whether or not such school districts shall be united into a union school district Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions A union school district of the second third or fourth class may be enlarged to include an additional district or districts of the second third and fourth class which is part of the same approved administrative unit in the following manner The union school district and any district of the second third or fourth class shall present a petition to the county commissioners of the county in which the districts are located signed by at least a majority of the members of the boards of school directors of the existing union school district and of the board of school directors of the school district of the second third or fourth class desiring to become part of the union school district or by any electors of an existing union school district or of a district of the second third or fourth class who may present a petition to the county commissioners signed by at least twenty-five per centum (25%) of the registered voters of the union school district and of the district desiring to become part of the union school district The county commissioners shall take no action on such petitions until they have been approved in writing by the Superintendent of Public Instruction After such petitions have been filed and approved it shall be the duty of the county commissioners to submit to the electors of the union school district and to the district of the second third or fourth class desiring to become part of the union school district at the next primary general or municipal election a question whether the union school district should be enlarged through further union with the district of the second third or fourth class Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions

Section 2 Sections 252 and 253 of the act are amended to read

Section 252 Return of Election If a majority of the voters of each school district voting at said election shall be in favor of establishing or enlarging a union school district as shown by the returns of said election a certificate of the return shall be filed with the Superintendent of Public Instruction and with the clerk of the court of quarter sessions of the county and with the board of school directors of each of said school districts

Section 253 When Established Classification Whenever any union district shall be formed or enlarged as herein provided such district shall become a union school district on the first Monday in July after it has been formed The classification of any such union school district shall be determined for the purposes of this act by the combined population of all of the districts united as shown by the last preceding decennial census of the United States

Section 3 Section 2502.1 of the act added July 13 1957 (P L 864) is amended to read

Section 2502.1 Supplemental Payments The following supplemental payments shall be made to districts of the third and fourth classes to certain districts of the first class A and of the second class as hereinafter provided and to such other districts as have been approved by the Department of Public Instruction prior to July 1 1954 that are the district of residence on account of pupils enrolled

in elementary schools or high schools operated by joint boards of which the district of residence is a member [pupils enrolled in area technical schools in which the district of residence participates and pupils enrolled in schools operated by union or merged districts]

(1) (a) In the case of joint elementary or high schools operated by school districts of the third and fourth class and to districts of the second class approved by the Department of Public Instruction prior to July 1 1954 five hundred dollars (\$500) per teaching unit multiplied by the subsidiary account reimbursement fraction of the district of residence

[(2) In the case of elementary or high schools operated by union or merged districts eight hundred dollars (\$800) per teaching unit multiplied by the district's subsidiary account reimbursement fraction]

(3) In the case of area technical schools eight hundred dollars (\$800) per teaching unit multiplied by the subsidiary account reimbursement fraction of the district of residence]

(b) The following supplemental payments shall be made on account of resident pupils enrolled in schools operated by union or merged school districts of the third and fourth class

In the case of a union or merged school district of the third or fourth class within or comprising an approved administrative unit eight hundred dollars (\$800) per teaching unit multiplied by the subsidiary account reimbursement fraction

(c) In the case of area technical schools and in addition to the supplemental payments provided in (a) and (b) above the following payments shall be made on account of pupils enrolled in area technical schools in which the district of residence participates (1) eight hundred dollars (\$800) per eleven thousand eight hundred eighty class hours membership or more for pupils attending part-time multiplied by the subsidiary account reimbursement fraction or (2) eight hundred dollars (\$800) per teaching unit for pupils attending full-time multiplied by the subsidiary account reimbursement fraction

(d) In the case of school districts of the second class which became districts of that class as the result of the merger or the union of two or more districts of the third class or two or more districts of the fourth class or two or more districts of both classes in compliance with provisions of a county plan for the reorganization of school administrative units and attendance areas established by the county board of school directors and approved by the State Council of Education and in the case of merged and union districts which became or which hereafter become school districts of the second class by virtue of population growth eight hundred dollars (\$800) per teaching unit multiplied by the district's subsidiary account reimbursement fraction and further in the case of school districts which result from the merger or the union of a district of the first class A or of a district of the second class subsequent to the first Monday of July 1961 with one or more districts of the third class or with one or more districts of the fourth class during the first year that supplemental payments are payable eight hundred dollars (\$800) per teaching unit multiplied by twice the total number of teaching units reported by the third and fourth class districts of such merged or union district for the year immediately preceding the effective date of the merger or the union and by the subsidiary account reimbursement fraction of the district of residence for each year thereafter eight hundred dollars (\$800) per teaching unit multiplied by the total number of teaching units reported by such merged or union district less the number of teaching units for which no payment was allowed on the first payment and by the subsidiary account reimbursement fraction of the district of residence

(e) In the case of joint schools operating complete programs grades one through twelve or kindergarten through twelve under joint articles of agreement executed subsequent to July 1 1954 to which a school district of the first class A or a school district of the second class is a signatory with one or more districts of the third class or with one or more districts of the fourth class five hundred dollars (\$500) per teaching unit multiplied by the total number of teaching units brought into jointure from

the district or districts of the third and fourth classes and by the subsidiary account reimbursement fraction of the first class A or of the second class district of residence

No union or merged district which is a member of a joint board or organization shall receive supplemental aid on account of such joint board membership

[In all cases] [the] supplemental payments specified [in the foregoing] for joint board membership shall be made only for organizations established and operated in accordance with standards and regulations prescribed by the State Council of Education and approved by the Department of Public Instruction

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on Senate Bill No. 785.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—158

| | | | |
|-------------------|-----------------|---------------------|----------------------|
| Anderson, | Goodrich, | McLaughlin, | Scarcelli, |
| Arlene, | Gramlich, | Machmer, | Schaaf, |
| Balthaser, | Guthrie, | Mahan, | Schuster, |
| Bell, | Hamilton, | Markley, | Schwartz, |
| Bonner, | Heavey, | Meholchick, | Seltzer, |
| Bower, | Heffner, | Mihm, | Sherman, |
| Branca, | Helm, | Miller, B. Z., | Shupnik, |
| Breth, | Henzel, | Miller, H. G., | Silverman, |
| Boris, | Hocker, | Mills, | Snider, |
| Buchanan, | Holliday, | Muldowney, | Stank, |
| Capano, | Holt, | Mullen, | Steckel, |
| Capitolo, | Horst, | Munley, | Stewart, |
| Cianfrani, | Irvia, | Murphy, A. J., Jr., | Stimmel, |
| Cioffi, | Isaacs, | Murray, H. P. | Stone, |
| Comer, | Jim, | Murray, J. J., | Stoner, |
| Curwood, | Johnson, A. W., | Musto, | Stroup, |
| Davis, | Johnson, R., | Needham, | Sullivan, |
| Dengler, | Jones, F. R., | Nelson, | Taylor, |
| Dennis, | Kamyk, | O'Donnell, J. P., | Thompson, |
| Dennison, | Kee, | O'Neil, | Tompkins, |
| Devlin, | Kelser, | Odorisio, | Trusio, |
| Dougherty, | Kernaghan, | Ogilvie, | Ujober, |
| Edwards, | Kessler, | Parlante, | Varallo, |
| Eilberg, | Knecht, | Perry, H. H., | Varner, |
| Eshback, | Kooker, | Perry, P. E., | Verona, |
| Eshleman, | Kornick, | Petrosky, | Wall, |
| Farabaugh, | Korns, | Polaski, | Walsh, |
| Fetterolf, | Kovolenko, | Polen, | Wargo, |
| Filo, | Kubitsky, | Prendergast, | Welsh, |
| Fineman, | Lamb, | Price, | Wescott, |
| Floyd, | Lee, K. B., | Pursley, | Wheeler, |
| Flynn, | Leonard, | Reibman, | Williams, A. D. Jr., |
| Foerster, | Light, | Renwick, | Williams, E. S., |
| Frank, | Limper, | Rigby, | Wood, |
| Frascella, | Lopresti, | Riley, | Worley, |
| Fulmer, | Lulgard, | Rovanske, | Wynd, |
| Galley, | Lutty, | Royer, | Yatron, |
| Gallagher, | McCandless, | Rudisill, | Yetter, |
| Garlock, | McCann, | Sakulsky, | Andrews, |
| Goldstein, M. H., | McDonald, | | Speaker |

NAYS—7

| | | | |
|---------|---------|-------------|----------|
| Ashton, | Bowman, | Lee, A. M., | Pashley, |
| Barton, | Brown, | McCormack, | |

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Boies, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weldner, |
| Cooper, | Haudenshield, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 882.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 882.

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 882

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 882, entitled "An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utilities companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewage or sewage treatment rentals or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
GEORGE B. STEVENSON,
HARRY SEYLER
(Committee on the part of the Senate.)

JULIAN POLASKI,
JOHN J. McDONALD,
W. K. KNECHT,
(Committee on the part of the House of Representatives.)

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 882

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 882.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 882, entitled "An Act amending the act of April 14, 1949 (P. L. 482) entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage

or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
GEORGE B. STEVENSON,
HARRY SEYLER
(Committee on the part of the Senate.)

JULIAN POLASKI,
JOHN J. McDONALD,
W. K. KNECHT,
(Committee on the part of the House of Representatives.)

An Act amending the act of April 14, 1949 (P. L. 482), entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1, Section 1, act of April 14, 1949 (P. L. 482), entitled as amended, "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or by townships of the first or second class authorizing and requiring them to supply to such authorities lists of metered water readings and flat-rate water bills and other data authorizing them to act as billing and collecting agents for such authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith," reenacted and amended September 7, 1955 (P. L. 576) and amended July 10, 1957 (P. L. 622) is amended to read:

Section 1. If the owner or occupant of premises served by any water utility as hereinafter defined shall neglect or fail to pay for a period of thirty (30) days from the due date thereof any rental, rate or charge for sewer, sewerage or sewage treatment service imposed by any municipal authority organized by any county of the second class, by any city of the second class, by any city of the second class A, by any city of the third class, by any borough or by any township of the first or second class such water utility is hereby authorized and required at the request and direction of such authority or of the city, borough or township to which the authority shall have assigned its claim or lien

for such service to shut off the supply of water to such premises until all such overdue rentals, rates and charges together with any penalties and interest thereon shall be paid. If such authority or such city, borough or township shall also supply water to any premises it is hereby authorized to shut off the supply of water to such premises as herein set forth. If the rental, rate or charge for sewer, sewerage, or sewage treatment service is imposed by a municipality as lessee of an authority organized as aforesaid and the said lessee shall also supply water to such premises then such municipality is hereby authorized to shut off the supply of water to such premises as herein set forth without prior request from said authority or without prior assignment of its claim or lien for such services in no case shall the water supply be shut off to any premises until ten days after written notice of an intention so to do has been mailed to the person liable for payment of the rentals and charges and in addition thereto there has been posted a written notice at a main entrance to the premises if during such ten day period the person liable for the payment of the rentals and charges delivers to the water utility authority or municipality supplying water to the premises a written statement under oath or affirmation stating that he has a just defense to the claim or part of it for such rentals or charges then the water supply shall not be shut off until the claim has been judicially determined the statement shall also contain a declaration under oath or affirmation that it was not executed for the purpose of delay.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on Senate Bill No. 882.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Goldstein, M. H., | McCormack, | Scarcelli, |
| Arlene, | Goodrich, | McDonald, | Schaaf, |
| Ashton, | Gramlich, | McLaughlin, | Schuster, |
| Balthaser, | Guthrie, | Machmer, | Schwartz, |
| Barton, | Hamilton, | Mahan, | Seltzer, |
| Bell, | Heavey, | Markley, | Silverman, |
| Bonner, | Heffner, | Meholchick, | Sherman, |
| Boris, | Heim, | Mihm, | Shupnik, |
| Bower, | Henzel, | Miller, B. Z., | Snider, |
| Bowman, | Hocker, | Miller, H. G., | Stank, |
| Branca, | Holliday, | Mills, | Steckel, |
| Breth, | Holt, | Muldowney, | Stewart, |
| Brown, | Horst, | Mullen, | Stimmel, |
| Buchanan, | Irvia, | Munley, | Stone, |
| Capano, | Isaacs, | Murphy, A. J., Jr., | Stoner, |
| Capitolo, | Jim, | Murray, H. P., | Stroup, |
| Cianfrani, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Cioffi, | Johnson, R., | Musto, | Taylor, |
| Comer, | Jones, F. E., | Needham, | Thompson, |
| Curwood, | Kamyk, | Nelson, | Tompkins, |
| Davis, | Kee, | O'Donnell, J. P., | Trusio, |
| Dengler, | Kelser, | Odoriso, | Ujobai, |
| Dennis, | Kernaghan, | Ogilvie, | Varallo, |
| Dennison, | Kessler, | O'Neill, | Varnier, |
| Devlin, | Knecht, | Parlante, | Verona, |
| Dougherty, | Kooker, | Pashley, | Wall, |
| Edwards, | Kornick, | Perry, H. H., | Walsh, |
| Elberg, | Korns, | Perry, P. E., | Wargo, |
| Eshback, | Kovolenko, | Petrosky, | Welsh, |
| Eshleman, | Kubitsky, | Polaski, | Wescott, |
| Farabaugh, | Lamb, | Polen, | Wheeler, |
| Fetterolf, | Lee, A. M., | Prendergast, | Williams, A. D., Jr., |
| Fineman, | Lee, K. B., | Price, | Williams, E. S., |
| Floyd, | Leonard, | Pursley, | Wood, |
| Foerster, | Light, | Reibman, | Worley, |
| Frank, | Limper, | Renwick, | Wynd, |
| Frascella, | Lopresti, | Rigby, | Yatron, |
| Fulmer, | Luigard, | Rovansek, | Yetter, |
| Galley, | Lutty, | Royer, | |
| Gallagher, | McCandless, | Rudisill, | |
| Garlock, | McCann, | Sakulsky, | |

NAYS—3

Filo, Flynn, Riley,

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Down, | Lippincott, | O'Dell, |
| Auker, | Ewing, | McInroy, | O'Donnell, J. A., |
| Blair, | Fox, | McKeever, | Reidenbach, |
| Botes, | Gelfand, | Magee, | Snare, |
| Brenninger, | George, | Maxwell, | Stevens, |
| Burns, | Gibb, | Merry, | Strausser, |
| Clarke, | Goldstein, J. H., | Monroe, | Weidner, |
| Cooper, | Haudenshield, | Moran, | Whittaker, |
| Crossin, | Jenkins, | Murphy, P. J., | Willard, |
| Donahue, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donaldson, | Jump, | Naugle, | Wilt, |
| | | | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2117.

An Act amending the "Rural State Highway Law" approved June 22, 1931 (P. L. 594) changing or deleting certain routes and adding certain new routes.

HOUSE BILL No. 2119.

An Act amending the "City State Highway Law" approved June 22, 1931 (P. L. 720) changing or deleting certain routes and adding certain new routes.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 927.

An Act amending the act of May 23, 1945 (P. L. 903) entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" defining years of service to include time spent in the armed forces of the United States upon certain payments.

HOUSE BILL No. 1142.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing requirements for construction contracts.

HOUSE BILL No. 1584.

An Act authorizing the Department of Proprety and Supplies with the approval of the Governor to sell and convey 0.152 acres of land situate in Reed Township Dauphin County.

HOUSE BILL No. 1851.

An Act amending "The Vehicle Code" approved April 29 1959 (Act No. 32) changing the provisions relating to the limitations on size of certain vehicles.

Andrews,
Speaker

HOUSE BILL No. 1852.

An Act amending "The Vehicle Code" approved April 29 1959 (Act No. 32), authorizing the issuance of special permits to dealers and farmers for the operation or movement of oversize self-propelled farm equipment and fixing fees for such permits.

HOUSE BILL No. 2048.

An Act amending the act of May 23, 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection * * *" defining "receipts" to exclude certain wholesale dealers in tobacco and tobacco products and making such definitions retroactive.

HOUSE BILL No. 2397.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing homebound instruction for children confined in detention homes.

HOUSE BILL No. 2399.

An Act amending "The Vehicle Code" approved April 29 1959 (P. L. 58) increasing penalties for throwing materials from vehicles or tractors.

HOUSE BILL No. 2463.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) authorizing game to be taken from the State by resident licensed hunters who are members of the armed services on active duty.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1616, entitled:

An Act providing for the Joint State Government Commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith the appointment of an advisory committee in connection therewith and making an appropriation.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Mr. Speaker, this is among those bills which are not on the calendar. We have gone over them in caucus, and this action has been approved by the caucus.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
HOUSE BILL No. 1616

The SPEAKER, pro tempore. The Speaker has ap-

pointed as a Committee of Conference on the part of the House, Mrs. VARALLO, Messrs. POLEN and WOOD.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON NONCONCURRENCE IN HOUSE
AMENDMENTS TO SENATE BILL No. 24

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 24, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

Mr. McCANN. Mr. Speaker, I request that the House recede from its amendments nonconcurred in by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|--------------------|-----------------------|
| Anderson, | Garlock, | McCormack, | Sakulsky, |
| Arlene, | Goldstein, M. H., | McDonald, | Scarcelli, |
| Ashton, | Goodrich, | McLaughlin, | Schaaf, |
| Balthaser, | Gramlich, | Machmer, | Schuster, |
| Barton, | Guthrie, | Mahan, | Schwartz, |
| Bell, | Hamilton, | Markley, | Seltzer, |
| Bonner, | Heavey, | Meholchick, | Sherman, |
| Boris, | Heffner, | Mihm, | Shupnik, |
| Bower, | Helm, | Miller, B. Z., | Silverman, |
| Bowman, | Henzel, | Miller, H. G., | Snider, |
| Branca, | Hocker, | Mills, | Stank, |
| Breth, | Holliday, | Muldowney, | Steckel, |
| Brown, | Holt, | Mullen, | Stewart, |
| Buchanan, | Horst, | Munley, | Stimmel, |
| Capano, | Irvis, | Murphy, A. J., Jr. | Stone, |
| Capitolo, | Isaacs, | Murray, H. P., | Stoner, |
| Cianfrani, | Jim, | Murray, J. J., | Stroup, |
| Cloffi, | Johnson, A. W., | Musto, | Sullivan, |
| Comer, | Johnson, R., | Needham, | Taylor, |
| Curwood, | Jones, F. R., | Nelson, | Thompson, |
| Davis, | Kamyk, | O'Donnell, J. P. | Tompkins, |
| Dengler, | Kee, | Odorisio, | Trusio, |
| Dennis, | Kelser, | Ogilvie, | Ujobal, |
| Dennison, | Kernaghan, | O'Neil, | Varallo, |
| Devlin, | Kessler, | Parlante, | Varnier, |
| Dougherty, | Knecht, | Pashley, | Verona, |
| Edwards, | Kooker, | Perry, H. H., | Wall, |
| Ellberg, | Kornick, | Perry, P. E., | Walsh, |
| Eshback, | Korns, | Petrosky, | Wargo, |
| Eshleman, | Kovolenko, | Polaski, | Welsh, |
| Farabaugh, | Kubitsky, | Polen, | Wescott, |
| Fetterolf, | Lamb, | Prendergast, | Wheeler, |
| Flio, | Lee, A. M., | Price, | Williams, A. D., Jr., |
| Fineman, | Lee, K. E., | Pursley, | Williams, E. S., |
| Floyd, | Leonard, | Reibman, | Wood, |
| Flynn, | Light, | Renwick, | Worley, |
| Foerster, | Limper, | Rigby, | Wynd, |
| Frank, | Lopresti, | Riley, | Yatron, |
| Frascella, | Luigard, | Rovansek, | Yetter, |
| Fulmer, | Lutty, | Royer, | |
| Galley, | McCandless, | Rudisill, | |
| Gallagher, | McCann, | | Andrews, |
| | | | Speaker |

NAYS—0

NOT VOTING—45

| | | | |
|-------------|-------------------|----------------|-------------------|
| Agnew, | Ewing, | McInroy, | O'Donnell, J. A., |
| Auker, | Fox, | McKeever, | Reidenbach, |
| Blair, | Gelfand, | Magee, | Snare, |
| Boies, | George, | Maxwell, | Stevens, |
| Brenninger, | Gibb, | Merry, | Strausser, |
| Burns, | Goldstein, J. H., | Monroe, | Weldner, |
| Clarke, | Haudenshield, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |

Crossin,
Donahue,
Donaldson,
Down,

Jones, T. H. W., Murray, P. G.,
Jump, Naugle,
Lippincott, O'Dell,

Willaredt,
Wilt,
Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the House receded from its amendments.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 2 of today's calendar, Senate Bill No. 9.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 9, entitled:

An Act amending the act of April 29, 1959 (Act No. 32) entitled "The Vehicle Code" prohibiting competitive racing on highways and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOCKER. Mr. Speaker, I wonder if I could interrogate the Majority Leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. HOCKER. Mr. Speaker, I am opposed to this bill in its present form and my question is this: Is the practice of drag racing, the name "drag racing," or the thing that we are trying to eliminate here, is that defined any place in our Code? Is there a definition as such?

Mr. McCANN. Mr. Speaker, I believe there is an item in Act 32 of the 1959 Session that has the words "drag racing" or somehow defines that type of racing. It may not be the word "drag." We can check that right away. That is in the new bill here.

Mr. HOCKER. Well, Mr. Speaker, I thank Mr. McCann. Will the gentleman trace it if he can before I get through?

Mr. Speaker, I am definitely in favor of doing anything at all that we can to stop what, in my opinion, is drag racing.

But I would like to know if there is a definition for such. I am afraid of this bill, because of the way I have read it, I have gone over it and over it, it has a terrible penalty in it which is to my liking providing it is used properly.

But this bill as I read it, has a five year penalty and \$100 fine, and I quote section 1040:

Racing prohibited. No person shall operate a vehicle upon any highway in a competitive race against the operator of another vehicle.

The way I look at this, there is nothing that would prevent a policeman, I hope there is no policeman who would do this, but there may be, and the penalty being so severe, I am afraid that another friend of mine and I should be sitting at a red light and we would say "Hi" to each other and start away from that red light, side by side, like we do out here on State Street in Harrisburg, and if a policeman were so minded he could say that we were racing. I do not think that anybody could prove otherwise.

If someone can prove to me that this bill would be used the way I think it is intended, I would be for it, but I

think it is very, very badly drawn. If this were used the way it is intended, I would be for it 100 percent, but the way it is and the way I interpret it, there are so many loopholes in it and the penalty is so severe, that if one person in this Commonwealth would be convicted under this bill and it would not be as it is intended, we would be doing a terrible injustice to some person.

That is my quarrel with the bill. If it can be straightened out, I would like to vote for it, but the way it is, I cannot support it.

Mr. BELL. Mr. Speaker, I also rise in opposition to this bill much for the reason that the gentleman from Dauphin states.

I read this carefully and I see it states, "free competitive racing." All racing is competitive or else it would not be racing. You can drive on any highway at any time and you can see people at a stop light jockeying for a position to get ahead of the other fellow. If you go on the Turnpike you can see two trucks trying to pass each other up the bill and that can be interpreted as racing.

Now what is the penalty? As Mr. Hocker states, it is a mandatory loss of driving privileges for five years. We are all against drag racing. We are all for traffic safety, but there are two ways to write it. One, intelligently and clear, and the other one is like this bill. It is so muddled any interpretation can come from it. We are on our last days of action for perhaps this week and this is the time for things to be shoved through without thinking. I say we should think carefully on this bill and we should vote against it.

Mr. SCHAAF. Mr. Speaker, a few moments ago when this bill was first called up I expressed an opinion, my personal opinion, that the language in this bill and apparently the companion bill, House Bill No. 63, was definitely defective. I do believe, and this is not a cliché, I do believe in highway safety. I do believe there should be steps taken by which we could stop, particularly the young, from roaring down the highways in competition with one another.

For that reason I would like at this time to interrogate the Majority Leader, if he will permit himself to be interrogated.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. SCHAAF. Mr. Speaker, there are throughout the Commonwealth certain organizations in the nature of touring clubs. Most counties have them and in the course of their activities they have what I believe are called, I am not sure of this but nevertheless I think they are called, rallies. The essential purpose of which is to take a car and to demonstrate the operator's skill by going on a circuitous route of thirty-two or thirty-five miles under circumstances that require the vehicle operators to meet or to hit certain check points, I believe they are called, at certain specified times, and the default of which makes the variation with which they meet these check points. They are penalized so that the driver who is most efficient in his driving, training and skill has the less penalties, and he is therefore declared the winner. Obviously it is competitive.

I will ask then of the Majority Leader, if it is the intention of this bill to prohibit that type of activity?

Mr. McCANN. Mr. Speaker, it is not the intention of this bill to prohibit that.

May I clarify for the record that there are two bills involved in this field. Senate Bill No. 9, which is being debated here, and House Bill No. 63, which is being debated in the Senate. As I understand it, both bills are going to go to the Governor and then should he sign one and not the other, you ask me, does this bill prohibit. I want to say that Senate Bill No. 9 and House Bill No. 63, as it left the House, does not prohibit. Is that what you inquired about?

Mr. SCHAAF. Mr. Speaker, I therefore inquire of the gentleman, is it the legislative intent as far as the Majority Leader is aware of either bill that this type of activity be prohibited by law?

Mr. McCANN. Mr. Speaker, I cannot answer that because the Senate amended House Bill No. 63 last night. I am not sure what the amendments do to the bill but it is the legislative intent when we were acting on the bill here to take care of that situation. But, Mr. Schaaf, if you would put the question in such a way that should House Bill No. 63 be used in any way, I am not sure what the amendments do that were put in that bill last night.

Mr. SCHAAF. All right, sir. Let me ask you this question, Mr. Speaker.

There are for the information of the gentleman in certain areas of this Commonwealth activities in the nature of hill climbing contests, whereby portions of the highway are roped off, and, with the consent of the State Police, as I understand it, and also the consent of the Highway Department by erecting detour signs and so forth, public highways are used for these hill climbing contests which are usually under the auspices of your service organizations, which is your Lion Club and so forth. Would the gentleman inform me was it the legislative intent as to House Bill 63 that at such time as it left the House that this type of activity would be prohibited by law?

Mr. McCANN. It was not. It was the legislative intent that it would not be prohibited, sir.

Mr. SCHAAF. Mr. Speaker, would the gentleman inform me as to this bill, Senate Bill No. 9, whether it is the legislative intent that this type of activity which I mentioned be prohibited?

Mr. McCANN. It is my intention to state that the legislative intent on Senate Bill 9 is that it would not prohibit such things as a hill climb, as it is commonly called.

Mr. SCHAAF. Well, Mr. Speaker, I am going to ask one final question.

Since both of these bills are moving at approximately the same time and this is rather a speculative question, but supposing that Senate Bill No. 9 was actually approved in this House but House Bill 63 was defeated in the Senate, would you therefore expect Senate Bill 9, if it went to the Governor and it was to be approved by the Governor, would you expect the Governor and his subordinate officers to order this expression of legislative intent on your part as to Senate Bill 9?

Mr. McCANN. I would expect him to approve the legislative intent of a bill we are debating that was in front of us that went to the Governor in that form. That would be a matter of permanent record on legislative intent of the bill, sir.

Mr. SCHAAF. I think the gentleman. Then in the in-

terest of highway safety and without wishing to be involved in clinches, I intend to vote for this bill.

Mr. ISAACS. I would like to further interrogate the Majority Leader.

The SPEAKER pro tempore. Would the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. Yes, sir, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, on another similar bill considered in this House the gentleman from Delaware, Mr. Lippincott, interrogated the Majority Leader and finally amended the bill particularly to take care of such affairs as soap box derbies and matters of that kind.

The question I would like to propose is, would this bill affect, for instance, a soap box derby which is almost a national institution in this country?

Mr. McCANN. Mr. Speaker, this bill would not, but could I clear the point for the gentleman from Delaware, Mr. Isaacs? Mr. Lippincott had amendments in his possession, and I wish he were here today to insert them into House Bill 63. House Bill 63 was amended last night. I have no right to say this, but I do not think those were Mr. Lippincott's amendments. House Bill 63 just passed a few minutes ago and is on its way over here now, but I believe Mr. Lippincott's amendments were to define not soap box derbies but racing car associations, speed meets or something like that. Is that the correct wording, sir?

Mr. ISAACS. As I recall, he was interested in both matters and I believe he debated them, but I could be in error.

Mr. McCANN. Mr. Speaker, at least I would like to say this, that the legislative intent of Senate Bill 9, would not prohibit a soap box derby, as it is commonly called, under proper supervision as it is normally handled by the respective service clubs, AAA and the State Police and so forth.

Mr. ISAACS. I thank the Majority Leader, Mr. Speaker.

Mr. BELL. Mr. Speaker, the interrogation of the Majority Leader by the gentleman from Erie asks, does this bill mean this, does it mean that. That is the clearest evidence of a sloppily written bill.

Who is going to be down there in front of a justice of the peace to tell him what the legislative intent is? He is not going to have a copy of the Legislative Journal with this debate in it. He is going to have a copy of the Motor Vehicle Code, and you are going to have some of our people, some of our citizens, in front of a justice of the peace, you are going to have him faced with a heavy fine and have him faced with the loss of his driving privileges for five years because the bill was not written right in the first place. I say this Legislature should not pass bills so sloppily written that you cannot get the legislative intent unless you go to the Journal.

Mr. KORNICK. Mr. Speaker, I rise to support this bill.

This bill is the result of tragedy in Fayette County. One Sunday afternoon a family of six were returning home from a picnic. They were about one quarter of a mile from their home and there came down a road, two automobiles. Neither one would yield to the other. As a result, all were wiped out at one time. That was one of the tragedies in our county. Just recently on Route 40 near Summer Mountain, the State Police had been up there and broke up a speed race rally exactly like this.

Therefore, this is very important legislation to stop this slaughtering on the highways. The gentleman from Montgomery has stated that he does not want to see any person brought before the justice of the peace. I would rather see them before the justice of the peace than lie in the morgue as a result of this crazy drag racing that is going on. The intent of the bill as it is now means almost entirely nothing because it is not clear. Therefore, I do not see where many people are going to be brought before the justice of the peace. The purpose of this is to stop this slaughtering especially in our county where these young boys are out in the wee hours of the morning trying to test their skill at the cost and expense of our citizens.

Mr. FRANK. Mr. Speaker, I rise to opposition to this bill. If two men are driving on the highway and one decides to stop and all of a sudden the other fellow pulls up, and he, in a manner of conversation asks him how to get to a certain town, and he explains it and they both are seen to start about the same time, some police officer would come along and pick them up, or they might be accused of drag racing. If it would be so, this particular party would lose his license for five years. If I am not mistaken, if a person is in a fatal accident he only loses it for three years.

This bill is very poorly written and I do not think that we should vote in favor of this bill.

Mr. WALSH. Mr. Speaker. I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. WALSH. Mr. Speaker, I would like to know what effect this would have on the Antique Car Association that have these competitive races.

Mr. McCANN. Mr. Speaker, I believe you mean the antique automobiles which have their tours. It would have none in any way. It would have no effect on the so-called antique automobile tours that are held on the highways all over the United States.

Mr. WALSH. They have competitions at their meets sometimes for endurance and speed. Would they come under this bill?

Mr. McCANN. Mr. Speaker, it would be rather hard to say, but the legislative intent would certainly be no.

I believe the gentleman has a very good point in which antique automobiles, at times, may leave Pittsburgh and their destination is Columbus, Ohio, we will say. Those making the best time between given points are awarded so many points toward a cup or a prize. But, that would not be competitive within the scope of drag racing or a violation of this proposed bill, Mr. Speaker.

Mr. WALSH. I want it perfectly understood that I am heartily in accord with stopping drag racing. I do not think this bill does it. I am sure that this bill is too loosely drawn, there are too many ifs and ands. I feel that this bill should be defeated.

Mr. KORNICK. Mr. Speaker, in reference to the gentleman from Lehigh, I wish to say to him that his argument is rather weak, because it tells you here "whether from a standing start or otherwise over a measured or unmeasured distance the object of which is to better or defeat one or more contestants on the basis of elapsed time and superior performances for speed."

Therefore, this idea that you stop on the road to talk to your friend, is as silly as I do not know what.

I have just received a message, at the proper minute, Mr. Speaker, that the Senate passed the other bill 50 to 0.

Mr. DENNISON. Mr. Speaker, I yield to no one in my interest in highway safety. Being against racing and being for highway safety, is a good deal like being against sin—everybody is against it.

This bill is not a bill designed to accomplish that purpose. I hate to take issue with Mr. Kornick, but the penalties in this bill would not have prevented the accident which he describes. A penalty of \$100 or \$500 or five years' suspension is not comparable when the result or penalty is death. That is the penalty for drag racing—death to most people.

The bill is superfluous. There is plenty of law in the books right now to control it. It is a matter of enforcement. I hate to take issue with the Majority Leader when he says it does not affect soap box racing. I would like to point out to him that the definition of a vehicle in the code is any vehicle in which persons or property is transported, not self-propelled or propelled by human power. Soap box racing is not propelled by human power nor by motor power. It is propelled by gravity. Therefore, it would, in my opinion, come under the terms of this bill. It is a wholesome sport, one that has gained national prominence and one in which a great many people have a great deal of interest. It has gone a great way in correcting this problem of juvenile delinquency.

It is a matter, I say, of enforcement. I have taken this matter up with the State Police. They admit privately that there is no need, and I would like to—just for the information of this House—read from Section 1001 from the present Vehicle Code: "It is illegal to participate in any physical endurance test or any race or speed contest with a motor vehicle on any highway."

This bill or any other bill will not prohibit the violator who has no conception or no desire or no value on his own life. It is a matter of enforcement and there are plenty of laws. Why should we clutter up the Code with more laws that are not necessary?

Mr. RIGBY. Mr. Speaker, it certainly gives me a great deal of pleasure to know that the gentleman from Jefferson is violently opposed to sin. But, getting back to the drag racing bill, racing is a prearranged scheme and the intent of this bill is to prevent just that.

We have places in Allegheny County that have narrow roads where some of these young people get together, start down the road, in a prearranged scheme to see who can beat in a certain distance. They will not move, and the only thing you can do if you are coming in the opposite direction is to get off the road, or it is just too bad.

The intent of this bill and also House Bill 63 is purely to promote highway safety. I believe they are both good bills and I think they should be passed to the Governor and let him in his wisdom sign whichever bill he feels is best suited to cover the issue.

Mr. SHERMAN. Mr. Speaker, those who have spoken, I am sure each and every one of them are in favor of highway safety. But, it is my feeling that we do have sufficient legislation, not only on the statute books but as passed in House Bill No. 500, which has been enacted into law at the present time. Under Section 1001, as far as reckless driving is concerned, the penalty at the present

time, of course, is a minimum of ten or not more than twenty-five dollars, but we all know that anything that can be said in any way, shape or form to be drag racing, or as stated under reckless driving, which is a law at the present time, as passed by this House and the other body this year, it is, "participating in any physical endurance test or any race or speed contest with a motor vehicle on any highway." That is our present law enacted this year. Under that law in previous years the Secretary of Highways has suspended licenses beginning with one year and under other conditions has taken licenses away for three to five years.

I feel that under our present highway program we have sufficient penalties divulged under our highway code without the necessity of further legislation. The death of any person on the highway, or the injury of anyone on the highway will not be made safer by the passage of the proposed legislation. If it did there is no doubt that both I and those who have spoken against the bill would gladly go along with the proposed legislation. But considering the Motor Vehicle Code as enacted into law in House Bill 500, I think it is Printer's Number 1002, at least it is House Bill 500, there is sufficient punishment meted out, and I feel for that reason we should vote no on the proposed legislation.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—71

| | | | |
|------------|-------------------|-------------------|-----------|
| Bowman, | Goldstein, M. H., | Luigard, | Rigby, |
| Branca, | Goodrich, | Lutty, | Rovansek, |
| Breth, | Hamilton, | McCann, | Rudisill, |
| Capano, | Heavey, | Mihm, | Schaaf, |
| Cioffi, | Henzel, | Mullen, | Schuster, |
| Comer, | Holt, | Munley, | Schwartz, |
| Curwood, | Irvia, | Murray, J. J., | Snider, |
| Devlin, | Isaacs, | Needham, | Stank, |
| Dougherty, | Jim, | Nelson, | Stone, |
| Ellberg, | Kamyk, | O'Donnell, J. P., | Sullivan, |
| Farabaugh, | Kernaghan, | Ogilvie, | Thompson, |
| Filo, | Kooker, | Parlante, | Verona, |
| Fineman, | Kornick, | Perry, H. H., | Wargo, |
| Floyd, | Korns, | Petrosky, | Wheeler, |
| Flynn, | Kovolenko, | Polen, | Yatron, |
| Foerster, | Lamb, | Price, | Yetter, |
| Frascella, | Leonard, | Reibman, | Andrews, |
| Garlock, | Lopresti, | Renwick, | Speaker |

NAYS—82

| | | | |
|------------|-----------------|---------------------|-----------------------|
| Anderson, | Galley, | McDonald, | Seltzer, |
| Arlene, | Gallagher, | McLaughlin, | Sherman, |
| Ashton, | Gelfand, | Machmer, | Shupnik, |
| Balthaser, | Gramlich, | Mahan, | Silverman, |
| Barton, | Guthrie, | Markley, | Steckel, |
| Bell, | Helm, | Meholchick, | Stewart, |
| Bower, | Hocker, | Miller, B. Z., | Stimmel, |
| Brown, | Holliday, | Miller, H. G., | Stroup, |
| Buchanan, | Horst, | Mills, | Taylor, |
| Capitolo, | Johnson, A. W., | Murphy, A. J., Jr., | Tompkins, |
| Cianfrani, | Johnson, R., | Murray, H. P., | Ujober, |
| Davis, | Jones, F. R., | Musto, | Varallo, |
| Dengler, | Kee, | O'Neil, | Wall, |
| Dennis, | Kelser, | Odorisio, | Walsh, |
| Dennison, | Kessler, | Pashley, | Weish, |
| Edwards, | Knecht, | Perry, P. E., | Wescott, |
| Eshback, | Lee, A. M., | Polaski, | Williams, A. D., Jr., |
| Eshleman, | Light, | Purley, | Williams, E. S., |
| Fetterolf, | Limper, | Royer, | Wood, |
| Frank, | McCandless, | Scarcelli, | Worley, |
| Fulmer, | McCormack, | | |

NOT VOTING—57

| | | | |
|--------|---------|----------|-----------|
| Agnew, | Fox, | Mages, | Sakulsky, |
| Auker, | George, | Maxwell, | Snare, |
| Blair, | Gibb, | Merry, | Stevens, |

| | | | |
|-------------|-------------------|-------------------|------------|
| Botes, | Goldstein, J. H., | Monroe, | Stoner, |
| Bonner, | Haudenshield, | Moran, | Strausser, |
| Boris, | Heffner, | Muldowney, | Trusio, |
| Brenninger, | Jenkins, | Murphy, P. J., | Varner, |
| Burns, | Jones, T. H. W., | Murray, P. G., | Weidner, |
| Clarke, | Jump, | Naugle, | Whittaker, |
| Cooper, | Kubitsky, | O'Dell, | Willard, |
| Crossin, | Lee, K. B., | O'Donnell, J. A., | Willaredt, |
| Donahue, | Lippincott, | Prendergast, | Wilt, |
| Donaldson, | McInroy, | Reidenbach, | Wynd, |
| Down, | McKeever, | Riley, | Zimmerman, |
| Ewing, | | | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REPORT OF COMMITTEE OF CONFERENCE ON
SENATE BILL No. 1043

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on Senate Bill No. 1043.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY
SENATE

The Clerk of the Senate being introduced, informed that the Senate has non concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows :

SENATE BILL No. 413.

An Act providing for group life insurance for State employees establishing a schedule providing for payment providing for reduction of insurance upon retirement and authorizing the Secretary of the Department of Property and Supplies to act as exclusive broker for the purpose of contracting for insurance.

And has appointed Messrs. WADE, WATKINS and WEINER a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the difference existing between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate Bill No. 413 and that a Committee of Conference be appointed .

The motion was agree to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON
SENATE BILL NO. 413

Th SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. POLEN, HAMILTON and STIMMEL.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON
SENATE BILL NO. 1066

The Clerk of the Senate being introduced, informed that the Senate has receded from its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 1066 entitled:

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 1066.

A Supplement to the act of July 15, 1957 (P. L. 929) entitled "An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain limited life insurance companies and limiting the amounts for which such companies may issue policies.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2459.

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels, bridges, viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class, second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance, repair, reconstruction and improvement by the Commonwealth conferring certain powers upon Department of Highways and local authorities, persons, associations and corporations for sharing of the cost of the maintenance and construction of such highways.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The Clerk read the amendments as follows:

Amend Article I, Section 101, page 5, by inserting after line 13, the following:

Bridge over Wills Creek on State Route 328 between the Borough of Hyndman and Londonderry Township in Bedford County.

Bridge over Six Mile Run Creek on State Route 677 at the Village of Riddlesburg Broad Top Township in Bedford County.

Inwood Bridge on Big Swatara Creek on boundary between Union and Swatara Townships, Lebanon County.

Levan's Bridge on Little Swatara Creek, Swatara Creek Swatara Township, Lebanon County.

Category 2

And the following named County Bridges in Lycoming County:

Arch Street Bridge
Maynard Bridge
Memorial Avenue Bridge
Slate Run Bridge
3rd Street Bridge

page 6, by striking out after line 13 the following:

Category 2

Route 02271. Beginning at the intersection of Warren-dale and Bayne Road and Legislative Route 02133 thence over Warrendale and Bayne Road to its intersection with the Old Perry Highway a distance of approximately 2.0 miles.

Route 02272. Beginning at the intersection of Bakers-town and Warrendale Road and U. S. Route 19 thence over Bakertown and Warrendale Road to its intersection with Babcock Boulevard a distance of 4.93 miles.

Route 02273. Beginning at Bakerstown on the Bakers-town and Valencia Road thence over such road to its intersection with Babcock Boulevard a distance of 4.80 miles.

Route 02274. Beginning in Bakerstown on the Bakers-town and Culmerville Road thence over such road to Culmerville a distance of 6.04 miles.

Route 02275. Beginning in Millerstown on the Millers-town and Culmerville Road thence over such road to Culmerville a distance of 2.50 miles.

Route 02276. Beginning on Bull Creek Road at the Tarentum Bouough Line thence over the Bull Creek Road to its point of intersection with Bull Creek Bridge No. 6 at Millerstown a distance of 5.00 miles.

Route 02277. Beginning on Glenfield Road at the intersection of legislative route 02096 thence over Glenfield Road to its intersection with Blackburn Road at "Y" a distance of approximately 1.40 miles.

Route 02278. Beginning at the intersection of Lewries Run and Mt. Nebo Road and Legislative Route 02100 thence over Lewries Run and Mount Nebo Road to its intersection with Glenfield Road at "Y", a distance of 1.80 miles.

Route 02279. Beginning on Ingomar Road at the Ingomar Road Highland Branch, thence over Ingomar Road to its intersection with Babcock Boulevard, a distance of 3.60 miles.

Route 02280. Beginning at the intersection of Wildwood Road and Pa. 8, thence over Wildwood Road to its intersection with Babcock Boulevard, a distance of 3.00 miles.

Route 02281. Beginning at the intersection of Middle Road and Legislative Route 390, thence over Middle Road to its intersection with Legislative Route 02138, a distance of 1.30 miles.

Route 02282. Beginning at the intersection of the Kittanning and Dorseyville Road and Legislative Route 02142 thence over the Kittanning and Dorseyville Road to its intersection with Legislative Route 02248 a distance of 0.30 miles.

Route 02283. Beginning at the intersection of the Kittanning and Dorseyville Road and Harts Run Road thence over the Kittanning and Dorseyville Road to its intersection with Fox Chapel Road a distance of 0.30 miles.

Route 02284. Beginning at the intersection of Fox Chapel Road and Legislative Route 3758 thence over Fox Chapel Road to its intersection with the Kittanning and Dorseyville Road a distance of 1.30 miles.

Route 02285. Beginning on the Seavey Road at the Millvale Borough Line thence over Seavey Road to the Etna Borough Line a distance of 0.90 miles.

Route 02286. Beginning at the intersection of Glass Run Road to its intersection with Hays Avenue in Pittsburgh a distance of 2.58 miles.

Route 02287. Beginning at the intersection of Hulton Road and Legislative Route 02236 thence over Hulton Road to Pa. 380 (Saltsburg Road) a distance of approximately 5.50 miles.

Route 02288. Beginning at the intersection of Pittsburgh and McKeesport Boulevard and Pa. 837 thence over Pittsburgh and McKeesport Boulevard to its intersection with Pa. 885 a distance of 2.70 miles.

Route 02289. Beginning at the intersection of Steuben-

ville Pike and Enlow Road and U.S. 30 thence over Steubenville Pike and Enlow Road to a point of intersection with Legislative Route 02016 a distance of 1.00 miles.

Route 02290. Beginning at the intersection of Coraopolis and Stevensons Mill Road and Legislative Route 02003 thence over Coraopolis and Stevensons Mill Road to its intersection with Carnot and Beers School Road a distance of 1.20 miles.

Route 02291. Beginning at the intersection of East Pittsburgh and McKeesport Boulevard and Legislative Route 02194 thence over East Pittsburgh and McKeesport Boulevard to its intersection with legislative route 02107 a distance of approximately 1.8 miles.

Route 02292. Beginning at the intersection of Lebanon Church Road and Pa. 51 thence over Lebanon Church Road to its intersection with the Buttermilk Hollow Road a distance of approximately 3.4 miles.

Route 02292. Beginning at the intersection of the Cloverleaf at Pleasant Hills and Pa. 51 thence over the Cloverleaf at Pleasant Hills to its intersection with Lebanon Church and Curry Hollow Roads a distance of 0.40 miles.

Route 02294. Beginning at the intersection of Curry Hollow Road and Brownsville Road thence over Curry Hollow Road to its intersection with Pa. 51 in Pleasant Hills Borough a distance of 1.50 miles.

Route 02295. Beginning at the intersection of Broughton and Library Road and Pa. 88 (Library Road) thence over Broughton and Library Road to its intersection with Brownsville Road a distance of 2.40 miles.

Route 02296. Beginning at the intersection of McKees Rocks and Forest Grove Road and Legislative Route 02021 thence over McKees Rocks and Forest Grove Road to its intersection with Legislative Route 02209 a distance of 0.40 miles.

Route 02297. Beginning at the intersection of Beaver Grade Road and Pa. 60 (Steubenville Pike) thence over Beaver Grade Road to its intersection with Legislative Route 02209 a distance of 0.30 miles and the following named bridges.

- No. 10 Brush Creek
- No. 3 Breakneck Creek Branch
- No. 4 Breakneck Creek Branch
- No. 5 Brush Creek
- No. 11 Brush Creek
- No. 17 Deer Creek
- No. 2 Dawsons Run
- No. 14 Deer Creek
- No. 15 Deer Creek
- No. 16 Deer Creek
- No. 17 Bull Creek
- No. 1 Little Bull Creek
- No. 2 Bull Creek
- No. 3 Bull Creek
- No. 4 Bull Creek
- No. 10 Bull Creek
- No. 11 Bull Creek
- No. 12 Bull Creek
- No. 13 Bull Creek
- No. 14 Bull Creek
- No. 15 Bull Creek
- No. 17 Bull Creek
- No. 2 Killbuck Run
- No. 3 Killbuck Run
- No. 5 Killbuck Run
- No. 6 Killbuck Run
- No. 8 Killbuck Run
- No. 9 Killbuck Run
- No. 10 Killbuck Run
- No. 11 Killbuck Run
- No. 12 Killbuck Run
- No. 4 Lowries Run
- No. 13 Lowries Run East Branch
- No. 8 Pine Creek
- No. 2 Crouse Run
- No. 3 Brush Run
- No. 2 Pine Creek
- No. 5 Pine Creek
- No. 10 Pine Creek
- No. 28 Pine Creek

No. 18 Girtys Run Branch

No. 1 Glass Run

No. 2 Glass Run

No. 3 Glass Run

No. 2 Plum Creek

No. 9 Plum Creek Branch

No. 10 Plum Creek Branch

No. 13 Plum Creek Branch

No. 3 Caldwells Run

No. 4 Caldwells Run

No. 1 Union Railroad

No. 2 Thompson Run South Side

No. 16 Montour Run Branch

No. 8 Turtle Creek Branch

No. 12 Lick Run

Category 3

Route 02298. Beginning on the Ben Avon and Lowries Run Road at the Ben Avon Borough Line, thence over Ben Avon and Lowries Run Road to its intersection with the Lowries Run and Mt. Nebo Road, a distance of 2.75 miles.

Route 02299. Beginning at the intersection of Lowries Run and Mt. Nebo Road and Lowries Run Road, thence over Lowries Run and Mt. Nebo Road to its intersection with Ben Avon and Lowries Run Road, a distance of 1.20 miles.

Route 02300. Beginning at the intersection of Evergreen and Lowries Run Road and U. S. 19, thence over Evergreen and Lowries Run Road to Lowries Run Road, a distance of approximately 1.0.

Route 02301. Beginning at the intersection of New Texas Road and Legislative Route 02237 (Leechburg Road), thence over New Texas Road to its intersection with Pa. 380, a distance of 2.60 miles.

Route 02302. Beginning at the intersection of McKnight Road and Evergreen Road in Pittsburgh, thence over McKnight Road to the intersection with Babcock Boulevard beyond Legislative Route 02126, a distance of 5.50 miles.

Route 02303. Beginning at the intersection of Flagherty Run Road and Pa. 51 (Broadhead Road), thence over Flagherty Run Road to Legislative Route 02208 and Moon and Clinton Road, a distance of 2.61 miles.

Route 02304. Beginning at the intersection of Milltown Unity Road and Hulton Road, thence over Milltown Unity Road to the intersection of Milltown Unity Road with Legislative Route 02237, a distance of 1.00 miles.

Route 02305. Beginning at the intersection of Lovedale Road and Legislative Route 02239 (Glassport and Elizabeth Road), thence over Lovedale Road to its intersection with Pa. 48, a distance of 242 miles.

Route 02306. Beginning on the Cliff Mine and Beaver Grade Connecting Road at its intersection with the airport parkway, thence over the Cliff Mine and Beaver Grade Connecting Road to its intersection with Beaver Grade Road, a distance of approximately 1.5 miles.

Route 02307. Beginning at the intersection of Little Deer Creek Valley Road and Pa. 28 in Harmar Township, thence over the Little Deer Creek Valley Road to Culmersville, a distance of 8.75 miles.

Route 02308. Beginning at the intersection of Verona Road and Pa. 380, thence over Verona Road to its intersection with Saltsburg Road, a distance of 2.10 miles.

Route 02309. Beginning at the intersection of Saltsburg Road and Verona Road, thence over Saltsburg Road to its intersection with Hulton Road, a distance of 1.20 miles.

Route 02310. Beginning at the intersection of White Oak Level Road and Pa. 48, thence over White Oak Level Road to the Westmoreland County Line, a distance of 2.00 miles.

Route 02311. Beginning at the intersection of Renzie Road with the Boston and Greenock Road, thence over Renzie Road to its intersection with the Buena Vista and Greenock Road, a distance of 1.05 miles.

Route 02312. Beginning at Buena Vista, thence over the Buena Vista and Greenock Road to its intersection with Renzie Road, a distance of 2.05 miles.

Route 02313. Beginning at the intersection of Scott Haven Road and State Road, thence over Scott Haven Road to its intersection with Industry Road, a distance of 1.65 miles.

Route 02314. Beginning at the intersection of State Road and Legislative Route 685, thence over State Road to its

intersection with Suterville Bridge, a distance of 1.80 miles.

Route 02315. Beginning at Buena Vista, thence over Industry Road to Scott Haven Road, a distance of 1.25 miles.

Route 02316. Beginning at the intersection of Clever Road and Legislative Route 02209, thence over Clever Road to its intersection with Beaver Grade Road, a distance of approximately 0.8 miles.

Route 02317. Beginning at the intersection of Buttermilk Hollow Road and the Lebanon Church Road, thence over the Buttermilk Hollow Road to its intersection with Legislative Route 02080 (Mifflin Road), a distance of 0.98 miles.

Route 02318. Beginning on the Mayview Branch of the Washington Pike at the Bridgeville Borough Line, thence over the Mayview Branch of the Washington Pike to its intersection with Legislative Route 02051, a distance of 1.93 miles.

Route 02319. Beginning at the intersection of Beaver Grade Road and Legislative Route 02209, thence over the Beaver Grade Road to its intersection with the Coraopolis and Carnot Road, a distance of 5.45 miles.

Route 02320. Beginning at the intersection of the Coraopolis and Carnot Road and Pa. 54 and Legislative Route 02003, thence over the Coraopolis and Carnot Road to the Coraopolis Borough Line, a distance of 3.84 miles.

Route 02321. Beginning at the intersection of Fern Hollow Road and Legislative Route 02219, thence over Fern Hollow Road to its intersection with the Duff City and Campmeeting Road, a distance of 1.80 miles.

Route 02322. Beginning at the intersection of the Duff City and Campmeeting Road and the Fern Hollow Road, thence over the Duff City and Campmeeting Road to its intersection with the Lowries Run and Rochester Road, a distance of 1.60 miles.

Route 02323. Beginning at the intersection of the Bayne and Wexford Road and the Lowries Run and Rochester Road, thence over the Bayne and Wexford Road to its intersection with the Old Perry Highway, a distance of 4.10 miles.

Route 02324. Beginning at the intersection of Gibsonia Road and Babcock Boulevard, thence over Gibsonia Road to its intersection with Fisher Road, a distance of 3.23 miles.

Route 02325. Beginning at the intersection of the Creighton and Russellton Road and the Little Deer Creek Valley Road, thence over the Creighton and Russellton Road to its intersection with Legislative Route 02171, a distance of 1.00 miles.

Route 02326. Beginning at the intersection of Crawford Run Road and Pa. 28 in East Deer Township, thence over Crawford Run Road to its intersection with Legislative Route 02171, a distance of 2.00 miles.

Route 02327. Beginning at the intersection of the Clifton and Library Road and Legislative Route 02240, thence over the Clifton and Library Road to its intersection with Pa. 88 (Library Road), a distance of 2.51 miles.

Route 02328. Beginning at the intersection of Babcock Boulevard and the Peoples Plank Road at Evergreen, thence over the Babcock Boulevard to the Butler County Line, except that portion of Babcock Boulevard between its intersections with Rochester Road and application 3756 a distance of approximately 10.8 miles.

Route 02329. Beginning at the intersection of the Brownsville and Library Road and Brownsville Road, thence over the Brownsville and Library Road to its intersection with Legislative Route 02066, a distance of approximately 1.0 miles.

Route 02330. Beginning at the intersection of Brownsville Road Extension and the Brownsville and Library Road, thence over the Brownsville Road Extension to the Washington County line, a distance of 0.89 miles.

Route 02331. Beginning at the intersection of Rochester Road and U. S. 19, thence over Rochester Road to its intersection with Babcock Boulevard, a distance of 1.31 miles.

Route 02332. Beginning at the intersection of Lowries Run Road and U. S. 19, thence over Lowries Run Road to a point one half (1/2) mile beyond Legislative Route 02129 at Lowries Run Bridge, a distance of 2.00 miles.

Route 02333. Beginning at the intersection of the Lowries Run and Rochester Road and the Duff City and Campmeeting Road, thence over Lowries Run and Rochester Road

to its intersection with Lowries Run Road, a distance of 6.00 miles.

And the following named bridges:

No. 3 Lowries Run
 No. 5 Lowries Run
 No. 6 Lowries Run
 No. 2 Lowries Run East Br
 No. 3 Lowries Run East Br
 No. 4 Lowries Run East Br
 No. 2 Plum Creek South Br
 No. 3 Plum Creek South Br
 No. 4 Plum Creek South Br
 No. 5 Plum Creek South Br
 No. 6 Plum Creek South Br
 No. 5 Plum Creek
 Ivory Avenue Bridge
 Nelson Run Road Bridge
 No. 15 Girtys Run
 No. 1 McKnight Run
 No. 2 McKnight Run
 No. 3 McKnight Run
 No. 4 McKnight Run
 No. 1 Flaugherty Run South
 No. 2 Flaugherty Run South
 No. 3 Flaugherty Run South
 No. 1 Caldwell's Run
 No. 11 Plum Creek Branch
 No. 12 Plum Creek Branch
 No. 3 Wylies Run
 No. 4 Wylies Run
 No. 5 Wylies Run
 No. 6 Wylies Run
 No. 7 Wylies Run
 No. 9 Wylies Run
 No. 10 Wylies Run
 No. 11 Wylies Run
 No. 12 Wylies Run
 No. 13 Montour Run Branch
 No. 10 Montour Run Branch
 No. 3 Montour Run Branch
 No. 14 Allegheny River (Small branch)
 No. 2 Deer Creek Little
 No. 3 Deer Creek Little
 No. 7 Deer Creek Little
 No. 8 Deer Creek Little
 No. 9 Deer Creek Little
 No. 10 Deer Creek Little
 No. 11 Deer Creek Little
 No. 12 Deer Creek Little
 No. 4 Sandy Creek
 No. 5 Sandy Creek
 No. 8 Sandy Creek
 No. 9 Sandy Creek
 No. 10 Sandy Creek
 No. 11 Sandy Creek
 No. 2 Long Run
 No. 4 Long Run
 No. 5 Long Run Branch
 No. 6 Long Run Branch
 No. 2 Wildcat Run
 No. 3 Wildcat Run
 No. 1 Wildcat Run
 No. 1 Rock Run
 No. 12 Youghiogheny River Br
 No. 13 Youghiogheny River Br
 No. 1 Pierce Run
 No. 1 Douglas Run
 No. 11 Montour Run Branch
 No. 1 Cow Run
 No. 18 Chartiers Creek
 No. 7 Montour Run
 No. 5 Little Sewickley Creek
 No. 6 Little Sewickley Creek
 No. 1 Rippling Run
 No. 4 Rippling Run
 No. 1 Wexford Run
 No. 23 Pine Creek
 No. 33 Pine Creek Branch
 No. 2 Brush Run
 No. 2 Crawford Run

No. 5 McKnight Run
 No. 1 Babcock Boulevard Underpass (North Park)
 No. 26 Pine Creek
 No. 1 Breakneck Creek Branch
 No. 3 Lick Run
 No. 10 Lick Run
 No. 11 Lick Run
 No. 1 Catfish Run
 No. 2 Piney Fork
 No. 12 Girtys Run
 No. 1 Lowries Run East Branch
 No. 5 Lowries Run East Branch
 No. 14 Lowries Run East Branch
 No. 15 Lowries Run East Branch
 No. 2 Rippling Run
 No. 5 Rippling Run
 No. 8 Lowries Run East Branch
 No. 9 Lowries Run East Branch

page 25, by inserting after line 11 the following:

Category 4

Route Beginning at the intersection of Legislative Route 935 and Hunlock-Ross Road thence over Hunlock-Ross Road to its intersection with Legislative Route 361 a distance of 7.74 miles in Ross Hunlock and Lake Townships Luzerne County.

Route Beginning at the intersection of Legislative Route 933 and Muhlenberg-Broadway Road thence over Muhlenberg-Broadway Road to its intersection with Legislative Route 40067 in the Village of Broadway a distance of 2.51 miles in Union and Ross Townships Luzerne County.

Route Beginning at the intersection of Legislative Route 935 and Sorbertown Road thence over Sorbertown Road to its intersection with Legislative Route 40069 spur E a distance of 3.81 miles in Hunlock and Lehman Townships Luzerne County.

Route Beginning on North Lake Road and spur off the Hunlock-Ross Road a county road at North Pond thence continuing on North Lake Road and spur a distance of 0.91 miles in Sweet Valley Ross Township Luzerne County.

Route Beginning at the intersection of Legislative Route 40067 and Broadway-Town line Road thence over Broadway-town line Road to its intersection with Legislative Route 935 a distance of 2.29 miles in Ross and Huntington Townships Luzerne County.

Route Beginning at the intersection of Legislative Route 11 and Dallas-Franklin Road thence over Dallas-Franklin Road to its intersection with Legislative Route 40054 a distance of 1.89 miles in Dallas Township Luzerne County.

Route Beginning at the intersection of Legislative Route 936 and Dallas-Huntsville Road thence over Dallas-Huntsville Road to its intersection with Legislative Route 40058 a distance of 2.21 miles in Dallas Township Luzerne County.

Route Beginning at the intersection of Legislative Route 232 and Eaton-Coreys Glen Road thence over Eaton-Coreys Glen Road to its intersection with Legislative Route 40122 a distance of 4.03 miles in Franklin and Exeter Townships Luzerne County.

Route Beginning at the intersection of Legislative Route 40122 and Orange-Dallas Road thence over Orange-Dallas Road to its intersection with Legislative Route 40131 a distance of 2.98 miles in Franklin and Dallas Townships Luzerne County.

Route Beginning on Fern Brook-Demunds Road at the Wyoming County line thence over Fern Brook-Demunds Road to its intersection with Legislative Route 40054 a distance of 4.00 miles in Franklin and Dallas Townships Luzerne County.

Route Beginning at the intersection of Legislative Route 40058 and Hillside-Chase Road thence over Hillside-Chase Road to its intersection with a county road a distance of 1.08 miles in Jackson Township Luzerne County.

Route Beginning at the intersection of Legislative Route 40122 and Orange-Sickler Road thence over Orange-Sickler Road to its intersection with Legislative Route 40052 a distance of 2.30 miles in Franklin and Exeter Townships Luzerne County.

Route Beginning at the intersection of Legislative Route 40058 and Follies Road thence over Follies Road to its intersection with Legislative Route 40060 a distance of 3.00 miles in Jackson Township Luzerne County.

Route Beginning at the intersection of Legislative Route 11 and Hillside-Huntsville Road thence over Hillside-Huntsville Road to its intersection with Luzerne Route 40058 a distance of 3.14 miles in Jackson Township Luzerne County.

Route Beginning at the intersection of Legislative Route 40124 and Meadowcrest Road thence over Meadowcrest road to its intersection with Legislative Route 40054 a distance of 0.85 miles in Kingston Township Luzerne County.

page 29, line 18, by striking out after the numerals "102" the letter "(a)"; line 19, by striking out after the word "in" the word and numeral "Category 1" and inserting in lieu thereof the words and numerals "Categories 1 and 4"; page 30, by striking out after line 3 the following:

(b) The highways or sections thereof bridges tunnels viaducts and approaches thereto in Category 2 established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act and shall be taken over not later than May 1 1961.

(c) The highways or sections thereof bridges tunnels viaducts and approaches thereto in Category 3 established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act and shall be taken over not later than May 1 1963.

Article II, Section 201, page 33, by striking out after line 17, the following:

Route 67284 beginning at the intersection of Oregon Avenue and Fifth Street thence northerly on Fifth Street to the intersection of Chestnut Street beginning again at the intersection of Spring Garden Street and Fifth Street thence northerly on Fifth Street to the intersection of Roosevelt Boulevard a distance of about 6.8 miles.

Route 67285 beginning at the intersection of Oregon Avenue and Sixth Street thence northerly on Sixth Street to the intersection of Chestnut Street beginning again at the intersection of Spring Garden Street and Sixth Street thence northerly on Sixth Street to the intersection of Roosevelt Boulevard a distance of about 6.7 miles. Section 203, page 36, by striking out after the line 19, the following:

(d) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing or the alteration or reconstruction of an existing overhead or undergrade crossing on any street described and designated in section 202 of this act and no such assessment shall hereafter be made under any act of Assembly heretofore enacted.

page 37, line 6, by striking out at the beginning of the line the letter "(c)" and inserting in lieu thereof the letter "(d)"; page 37, line 11, by striking out at the beginning of the line the letter "(f)" and inserting in lieu thereof the letter "(e)"; Article III, Section 303, page 45, by striking out after line 16, the following:

(d) To authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing on any street described and designated in section 302 of this act and no such assessment shall hereafter be made under any act of Assembly heretofore enacted.

page 46, line 3, by striking out at the beginning of the line the letter "(c)" and inserting in lieu thereof the letter "(d)"; line 7, by striking out at the beginning of the line the letter "(f)", and inserting in lieu thereof the letter "(e)"; Article IV, Section 401, page 49, line 17, by striking out after the word "Route" the numerals "06221" and inserting in lieu thereof the numerals "6222"; page 50, by inserting after line 3, the following:

Route 06223 Beginning at the intersection of Township Road 967 and Legislative Route 06128 thence in a northeasterly direction over Township Road 967 to the intersection of Township Road 978 at the Windsor and Greenwich Township line for a distance of 1.55 miles in Windsor Township thence continuing over Township Road

978 and in the same general direction to the West Borough line of Lenhartsville for a distance of 0.81 miles in Greenwich Township a total distance of about 2.36 miles in Windsor and Greenwich Townships Berks County

Blair County

Route 07069 Beginning at a point approximately .1 mile north of Hollidaysburg Borough on Legislative Route 07015 and extending northeasterly 2 miles to the intersection of Legislative Route 07011 in Frankstown Township Blair County

page 51, by inserting after line 9, the following:

Route 08197 Beginning at a point on Legislative Route 08056 approximately three miles southeast of Wetona on Springfield Township line thence in a northerly and northeasterly direction along Township Roads 666 623 and 698 crossing Legislative Route 08063 to the intersection with Legislative Route 08054 a distance of about 4.1 miles in Smithfield Township Bradford County

page 53, by striking out after line 2, the following:

Route 10150 Beginning at a point at the intersection of Legislative Route 10066 and Township Route 398 thence in a northerly direction over Township Route 398 to the Mercer County Line a distance of about a mile in Slippery Rock Township Butler County

page 57, by inserting after line 6, the following:

Clarion County

Route 16109 Beginning at the terminus of Pennsylvania Legislative Route 03140 in Mahoning Township Armstrong County thence in a northeasterly direction to the terminus of Legislative Route 16100 in Potter Township Clarion County a distance of approximately 1170 feet

Route 16111 Beginning at the intersection of Legislative Route 16074 and Township Route 521 thence in a northwesterly direction over Township Route 521 to the Strattonville Borough line a distance of about 0.95 miles in Clarion Township Clarion County

Route 16112 Beginning on the centerline at the terminus of Legislative Route 03117 in Madison Township Armstrong County thence through lands of McLain Fire Brick Company in a northeasterly direction by a curve to the right having a radius of 32.37 feet a distance of 32.85 feet and a deflection to the right of 58 degrees 09 minutes to station 0+32.85 thence through same north 59 degrees 04 minutes 50 seconds east 60.50 feet to station 0+93.35 thence through same in a northeasterly direction by a curve to the right having a radius of 129.11 feet a distance of 39.68 feet and a deflection to the right of 17 degrees 36 minutes 40 seconds to a station 1+33.03 thence through same north 76 degrees 41 minutes 20 seconds east 79.00 feet to station 2+12.03 thence through same in an easterly direction by a curve to the right having a radius of 121.41 feet a distance of 68.15 feet and a deflection to the right of 32 degrees 09 minutes 40 seconds to station 2+80.18 thence through same south 71 degrees 09 minutes 00 seconds east 66.57 feet to station 3+46.75 the centerline of a bridge known as the Saint Charles Bridge thence crossing same north 39 degrees 58 minutes 30 seconds east 232.21 feet to the terminus of Township Route T-468 in Porter Township Clarion County thence along the centerline of said township road north 39 degrees 58 minutes 30 seconds east 162.97 feet to a point thence along same in a northerly direction along Township Road T-468 aforesaid approximately 1.5 miles to Township Road T-466 in Porter Township Clarion County thence along Township Road T-466 approximately 1.0 miles to Legislative Route 16005 in Clarion County

page 61, by striking out after line 2, the following:

Cumberland County

Route 21100 Beginning at the intersection of Legislative Route 21014 thence Northerly and Easterly over Township Route 622 Lower Allen Township to the Intersection of Legislative Route 123 a distance of about 0.8 miles all in Lower Allen Township Cumberland County and by inserting after line 13, the following:

Cumberland County

Route 21100 Beginning at the intersection of Legislative Route 21014 thence northerly and easterly over Township Route 622 Lower Allen Township to the intersection of Legislative Route 123 a distance of about 0.8 miles all in Lower Allen Township Cumberland County

page 64, line 7, by striking out after the figures "119" at the beginning of the line the figures "117"; line 15, by striking out the figures "119" at the beginning of the line the figures "117"; page 65, line 16, by striking out after the word "Road" the figures "558" and inserting in lieu thereof the figures "555 to Township Road"; page 67, by inserting after line 12, the following:

Route 29049 Beginning at the intersection of Legislative Route 38 and Township Route 379 thence over Township Route 379 for a distance of about 0.9 miles to its intersection with Township Route 467 thence over Township Route 467 for a distance of about 1.38 miles to its intersection with Legislative Route 29029 a total distance of about 2.28 miles in Ayr Township Fulton County

Route 29050 Beginning at a point on Legislative Route 29010 thence northeasterly over Township Road 330 to the intersection with Legislative Route 267 Spur a distance of about 1.8 miles in Union Township Fulton County page 69, by inserting after line 19, the following:

Route 31115 Beginning at the intersection of Legislative Route 31031 and Township Road 557 thence in a northeasterly direction over Township Road 557 to the Juniata County line a distance of 0.35 miles in Tell Township Huntingdon County

page 71, by inserting after line 7, the following:

Route 33104 Beginning on Township Route T502 at its intersection with Legislative Route 33037 approximately one tenth of a mile northeast of Station No 0/20 thence along Township Route No T502 to its point of intersection with United States Traffic Route No 119 also known as the Punxsutawney-Big Run-Sykesville-DuBois Road approximately two-tenths of a mile west of Station No 1/60 a distance of about one and two-tenths miles in the village of Albion Bell Township Jefferson County

page 73, by inserting lines 1 to 6, inclusive, as follows:

Route 34073 Beginning at the intersection of Route 34061 and Township Route 313 thence in a westerly direction over Township Route 313 to the intersection of Route 34039 a distance of about 3.54 miles in Turbett and Spruce Hill Townships Juniata County page 79, line 13, by striking out at the beginning of the line the word "Marion" and inserting in lieu thereof the word "Merion"; page 83, by inserting after line 4, the following:

Route 48120 Beginning at the intersection of Legislative Route 48021 and Township Route 519 thence in a westerly direction over Township Route 519 for a distance of 0.2 miles to the intersection of Township Route 519 and Township Route 46 thence in a southerly direction over Township Route 746 for a distance of 0.2 miles to the intersection of Township Route 746 and Township Route 519 thence in a westerly direction over Township Route 519 for a distance of about 0.3 miles to the intersection of Township Route 519 and the Seipsville-Tatamy Road a distance of about 0.8 miles in Forks and Palmer Townships Northampton County

page 85, by inserting after line 10, the following:

Schuylkill County

Route 53125 Beginning at State Highway Route Number 122 thence in an easterly direction to a point of intersection with Legislative Route 53035 a distance of about 0.95 miles in West Mahanoy Township Schuylkill County page 86, by inserting lines 1 to 6, inclusive, as follows:

Route 54078 Beginning at a point at the Snyder Union County line on Township Road 519 thence in an easterly direction over Township Road 519 to the intersection with Legislative Route 54064 a distance of approximately 1.1 miles in Monroe Township Snyder County page 87, by striking out after line 2, the following:

Snyder County

Route 54078 Beginning at a point at the Snyder-Union County line on Township Road 519 thence in an easterly direction over Township Road 519 to the intersection with Legislative Route 54064 a distance of approximately 1.1 miles in Monroe Township Snyder County page 88, line 1, by striking out after the word "Route" the figures "49051" and inserting in lieu thereof the figures "59051"; and by inserting after line 18, the following:

Route 60089 Beginning at Station 194+15 on Legislative

Route 60009 thence over Township Road 510 to YMCA Camp along the Allegheny River a distance of about 2.4 miles in Scrubgrass Township Venango County page 89, by striking out after line 4, the following:

Route 60089 Beginning at the intersection of Legislative Route 75 and Township Route 550 thence over Township Route 550 to its intersection with Legislative Route 60064 a distance of about 0.8 miles in Richland Township Venango County page 101, by inserting after line 14, the following:

Berks County

Lenhartsville Borough

Route 06224 Beginning on Township Road 978 at the Windsor Township-Lenhartsville Borough line thence in a southeasterly direction over a borough street and Legislative Route 06168 a distance of 0.3 miles in the Borough of Lenhartsville Berks County

Blair County

Holidaysburg Borough

Route 07070 Beginning at a point at the intersection of Scotch Valley Road and Legislative Route 260 in Holidaysburg Borough thence northeasterly to the Holidaysburg Borough-Frankstown Township line a distance of 1.2 miles thence continuing in a northeasterly direction on Township Road 424 a distance of 1.6 miles to the intersection of Legislative Route 07011 thence northeasterly to the intersection of Legislative Route 07021 a distance of 4.2 miles a total length of 7 miles

Bradford County

Athens Borough

Route 08199 Beginning at or near the intersection of Township Road 862 and Township Road 823 at the Athens Borough-Athens Township line thence in a northeasterly direction to the Summit of Round Top Recreation Park in the Borough of Athens Bradford County a distance of about 0.8 of a mile

page 108, by inserting after line 14, the following:

Dallas Borough

Route Beginning at the intersection of Main Street and Traffic Route 115-309 westerly a distance of 1855 feet on Main Street to the intersection of State Highway Road known as Pioneer Avenue known as State Route 177-11 Section Application 1081 in Dallas Borough Luzerne County Station 428 + 45 to State 447 + 00

page 112, by inserting after line 2, lines 3 and 4, as follows:

Schuylkill County

Schuylkill Haven Borough

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2323.

An Act amending the act of June 27, 1947 (P. L. 1046) entitled "An act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts creating a State Tax Equalization Board and prescribing its powers and duties imposing duties on certain local officers agents boards commissions and departments and making an appropriation" eliminating the provision making the decision of the board final requiring the board to make a written finding of fact and providing for biennial certifica-

tion of market values in odd numbered years and further regulating appeals and certifications

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, line 1, page 2, in inserting after the numeral "7" the words and numbers 'and section 13'; line 7, page 2, by striking out after the word "appropriation" the word "is" and inserting in lieu thereof the word "are"; line 13, page 3, by striking out after the second word "board" the word "may" and inserting in lieu thereof the word "shall"; line 8, page 4, by striking out after the word "exceeds" the word and number "fifteen (15)" and inserting in lieu thereof the word and number "ten (10)".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Garlock, | McCormack, | Scarcelli, |
| Arlene, | Gelfand, | McDonald, | Schaaf, |
| Ashton, | Goldstein, M. H., | McLaughlin, | Schuster, |
| Balthaser, | Goodrich, | Machmer, | Schwartz, |
| Barton, | Gramlich, | Mahan, | Seltzer, |
| Bell, | Guthrie, | Markley, | Sherman, |
| Bonner, | Hamilton, | Meholchick, | Shupnik, |
| Boris, | Heavey, | Mihm, | Silverman, |
| Bower, | Heffner, | Miller, B. Z., | Snider, |
| Bowman, | Helm, | Miller, H. G., | Stank, |
| Branca, | Henzel, | Mills, | Steckel, |
| Breth, | Hocker, | Muldowney, | Stewart, |
| Brown, | Holliday, | Mullen, | Stimmel, |
| Buchanan, | Holt, | Munley, | Stone, |
| Capano, | Horst, | Murphy, A. J., Jr., | Stoner, |
| Capitolo, | Irviss, | Murray, H. P., | Stroup, |
| Cianfrani, | Isaacs, | Murray, J. J., | Sullivan, |
| Cioffi, | Jim, | Musto, | Taylor, |
| Comer, | Johnson, A. W., | Needham, | Thompson, |
| Curwood, | Johnson, R., | Nelson, | Tompkins, |
| Davis, | Jones, F. R., | O'Donnell, J. P., | Trusio, |
| Dengler, | Kamyk, | Odorisio, | Ujobal, |
| Dennis, | Kee, | Ogilvie, | Varallo, |
| Dennison, | Kelser, | O'Neill, | Varnier, |
| Devlin, | Kernaghan, | Parlante, | Verona, |
| Dougherty, | Kessler, | Pashley, | Wall, |
| Edwards, | Knecht, | Perry, H. H., | Walsh, |
| Elberg, | Kooker, | Perry, P. E., | Wargo, |
| Eshback, | Kornick, | Petrosky, | Welsh, |
| Eshleman, | Korns, | Polaski, | Wescott, |
| Farabaugh, | Kovolenko, | Polen, | Wheeler, |
| Fetterolf, | Kubitsky, | Prendergast, | Williams, A. D., Jr., |
| Filo, | Lamb, | Price, | Williams, E. S., |
| Fineman, | Lee, K. B., | Pursley, | Wood, |
| Floyd, | Leonard, | Reibman, | Worley, |
| Flynn, | Light, | Renwick, | Wynd, |
| Foerster, | Limper, | Rigby, | Yatron, |
| Frank, | Lopresti, | Riley, | Yetter, |
| Frascella, | Luigard, | Rovansek, | |
| Fulmer, | Lutty, | Royer, | |
| Gailey, | McCandless, | Rudisill, | |
| Gallagher, | McCann, | Sakulaky, | |

Andrews,
Speaker

NAYS—1

Lee, A. M.,

NOT VOTING—44

| | | | |
|-------------|-------------------|-----------|-------------------|
| Agnew, | Down, | McInroy, | O'Donnell, J. A., |
| Auker, | Ewing, | McKeever, | Reidenbach, |
| Blair, | Fox, | Magee, | Snare, |
| Bales, | George, | Maxwell, | Stevens, |
| Brenninger, | Gibb, | Merry, | Strausser, |
| Burns, | Goldstein, J. H., | Monroe, | Weldner, |

Clarke,
Cooper,
Crossin,
Donahue,
Donaldson,

Haudensfield,
Jenkins,
Jones, T. H. W.,
Jump,
Lippincott,

Moran,
Murphy, P. J.,
Murray, P. G.,
Naugle,
O'Dell,

Whittaker,
Willard,
Willaredt,
Wilt,
Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1172, 1261, 1954, 2316, 2446, 2455 and 2456.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1172, Printer's No. 1736, entitled "An Act amending the act of May 17, 1921 (P. L. 682) entitled 'The Insurance Company law of 1921' increasing the permissible ratio of loan to value of the security for real estate and leasehold loans."

DAVID L. LAWRENCE.

December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1261, Printer's No. 1795, entitled "An Act amending the act of March 10, 1949 (P. L. 30) entitled 'Public School Code of 1949' further providing for the operation of classes or school for institutionalized children in Counties of the Second Class the cost thereof to be paid by the Commonwealth."

DAVID L. LAWRENCE.

December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1954, Printer's No. 2037, entitled "An Act lapsing a balance of an appropriation made from the Motor License Fund to the Department of Highways in Section 4 of the act of September 3, 1955 (Appropriation Act No. 18-A)."

DAVID L. LAWRENCE.

December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2316, Printer's No. 1774, entitled "An Act amending the act of June 24, 1939 (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' prohibiting the offering of any policy of insurance free of cost as an inducement of any person to purchase any real or personal property."

DAVID L. LAWRENCE.

December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2446, Printer's No. 1990, entitled "An Act amending the act of May 21, 1943 (P. L. 571) entitled, as amended 'The Fourth to Eighth Class County Assessment Law' specifying when tax

levies in counties of the Eighth Class may first be based on assessments from valuations made with the use of the permanent system of records."

DAVID L. LAWRENCE.

December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2455, Printer's No. 2019, entitled "An Act amending the act of May 25, 1933 (P. L. 1050) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created' further regulating payments to the widow and children of members who are killed while on duty."

DAVID L. LAWRENCE.

December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2456, Printer's No. 2020, entitled "An Act amending the act of May 22, 1935 (P. L. 233) entitled 'An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said fund providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act' further regulating payments to the widow and children of members who are killed while on duty."

DAVID L. LAWRENCE.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1597.

An Act amending the act of March 6, 1956 (P. L. 1228) entitled as amended "Selective Sales and Use Tax Act" defining or redefining certain words terms and phrases clarifying the scope of the exemption for vessels imposing a tax upon the occupancy of hotel rooms prescribing the procedure for the raising of certain taxpayer defenses providing for notice of liens imposing the burden of proof on the department in certain proceedings and providing for the application of general laws in the administration of this act

HOUSE BILL No. 2402.

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" removing in certain cases and changing in certain cases limitations in the borrowing of money by municipalities for capital expenditures for improvements and equipment without the issuance of bonds and declaring the effect and validating certain prior transactions for the borrowing of money

HOUSE BILL No. 2430.

An Act amending the act of December 27, 1951 (P. L. 1742) entitled as amended "The Realty Transfer Tax Act" redefining documents to exclude certain repossessions following defaults in purchase obligations.

HOUSE BILL No. 2443.

An Act amending the act of April 9, 1929 (P. L. 177) entitled "The Administrative Code of 1929" further regulating the preparation of the budget in accordance with the recent constitutional amendment and regulating disbursements from appropriations made to the Department of Military Affairs imposing duties on the State Veterans Commission and the Deputy Adjutant General in charge of Military Affairs.

Whereupon.

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 2371

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 2371, Printer's No. 1692, entitled "An Act amending the act of June 1, 1959 (Act No. 77) entitled 'An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto' changing definition of final average salary for classroom school teachers with thirty-five or more years of service."

Under existing law, "final average salary" is defined to mean the highest annual average compensation of a contributor as a school employe during any five nonoverlapping periods of twelve consecutive months of contributory service.

This bill would redefine the term "final average salary" in the case of contributors who are classroom teachers for thirty-five years or more in which case the term "final average salary" is to mean the maximum mandated annual salary as prescribed in the Public School Code of 1949 for classroom teachers or the highest average annual compensation as a school teacher during any five nonoverlapping periods of twelve consecutive months of contributory service, whichever is greater. In effect, this bill would permit such classroom teachers to receive a retirement based not on their actual earnings but on a salary not actually received by them and upon which they had not paid the full amount of contributions which would have been paid by them had they actually received the maximum mandated annual salary.

The maintenance of a sound retirement system is largely dependent upon the utilization of sound actuarial principles. This proposed amendment is in derogation of sound actuarial principles in that it would grant benefits not determined or determinable upon the paid-in contributions of a contributor or upon a salary actually received by the contributor. Obviously, the provisions of this bill are intended to assure contributors of the class mentioned a retirement benefit to which they would have become entitled had they received the prescribed maximum mandated annual salary which for one reason or another has not been granted to them by their employer school districts. If such classroom teachers are entitled to receive a maximum mandated salary at the time of their retirement, steps should be taken to assure them of the receipt thereof. No equitable solution is secured by following the proposed provisions of this bill, since to do so we will be sacrificing the sound financial basis of the

retirement system which must be preserved for the benefit of all members.

We are also convinced that where amendments are proposed to the retirement law which are intended to increase benefits in any manner, such amendments should be made applicable to all members of the retirement system and not to one particular class.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. POLEN, Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1897

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, House Bill No. 1897, Printer's No. 1657, entitled "An Act amending the act of May 1, 1929 (P. L. 1216) entitled 'An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business' further regulating deposits and disbursements of funds by brokers."

This bill amends the Act of May 1, 1929, P. L. 1216 known as the "Real Estate Brokers License Act of one thousand nine hundred and twenty nine." It would permit a buyer and seller of real estate to agree not to be bound by the present statutory requirement that the seller's real estate broker retain a buyer's deposit or other monies until the transaction is "consummated."

The present requirement which now governs the actions of all brokers licensed by the State Real Estate Commission had a two-fold purpose. First, it was intended to assure the home buying public that a real estate broker, who is merely the agent of another, would treat the funds entrusted to his care with the utmost circumspection. Second, it had the object of preventing a broker from turning funds over to his seller principal who might then be tempted to use them for his own purposes.

For, if that were done and the seller were then unable to deliver the home contracted for, as in the case of a builder who becomes insolvent, the buyer would not even be able to recover his down payment, either from the seller or the broker. Clearly, that prospect has been rendered unlikely as a result of the present requirement that a broker escrow advanced funds upon penalty of losing his license to engage real estate transactions.

This present favorable condition for home buyers must be compared with what was to be expected before the enactment of the existing law. The State Real Estate Commission, which is the agency charged by law with regulating the activities of members of the real estate profession, has drawn our attention to a number of cases arising under earlier laws where it was powerless to punish brokers for failure to retain the deposits of buyers. Such laws stand in sharp contrast to our present statute which the Commission feels has proven itself capable of protecting buyers.

However, the evils at which the present act is aimed would again become likely under the provisions of this bill which would permit the buyer and seller to simply agree not to have the seller's broker escrow the monies advanced by the buyer. True, the waiver of the protective provisions is based on the assent of both parties, the buyer as well as the seller. And, we readily agree that

the right of persons to make their own contracts is a fundamental one.

But equally fundamental is the principal that the law should protect persons, who by reason of their lack of knowledge or experience are at a distinct disadvantage in bargaining with others not similarly handicapped. We think that the ordinary home buyer or consumer is such a person and that he needs the special protection of our laws. Therefore, in weakening the important protection which the escrowing of monies affords the home buyer, the amendatory provisions are not within the public interest.

For these reasons, the bill is not approved.

DAVID L. LAWRENCE.

COMMUNICATION AND BILL LAID ON TABLE

Mr. FETTEROLF. Mr. Speaker, I move that the communication from the Governor together with the bill be laid on the table.

The motion was agreed to.

INTERROGATION

Mr. McCANN. I would like to inquire of the Minority Leader, if he will permit himself to be interrogated, how long he will require for this short caucus to cover the items we went over so we can make the motions.

Mr. A. W. JOHNSON. Mr. Speaker, in reply to the gentleman, we will try to squeeze it into one-half hour.

Mr. McCANN. Mr. Speaker, will the gentleman then, when we come back, be able to vote the conference committee reports that were agreed upon, and the motions to concur and non-concur on the other bills?

If satisfactory I ask that the Democratic Members of this House go immediately to the new House Caucus Room upon the motion for 30 minutes to cover these items. Then we will return here and proceed with the highly controversial items.

Mr. A. W. JOHNSON. Mr. Speaker, may I just say to the Republican side of the House, this is a very important caucus and we would like to have everyone proceed with dispatch to the caucus room. We would like to have everyone present.

Mr. McCANN. Mr. Speaker, if I may, I would like to make the very same request.

The SPEAKER pro tempore. Will the gentleman yield on the calling of the caucus? We have a couple other items of business we want to call to the attention of the Members and at the proper time we will declare the recess. We would like to have the Members remain.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1977

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1977.

The SPEAKER pro tempore. The report will lie over for printing under the Rules.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1572.

An Act amending the "Second Class County Code" ap-

proved July 28, 1953 (P. L. 723) further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

PERMISSION TO ADDRESS HOUSE

Mr. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, according to the newspapers, the Governor of this Commonwealth stated he would desire to study and search House Bill 210, which relates to pari-mutuel wagering under the State Harness Racing Commission.

I call to his serious attention the following item:

Apparently the drafters of this legislation followed the New York State law in part, but for some reason or other omitted a very significant and salutary provision of the New York State law which reads in part as follows:

"Prohibition of Interest by Public Officers, Public Employees or Party Officers in Pari-mutuel Racing Activities: No public officer, public employee or party officer shall hold any license, hold any proprietary interest, hold any office or sell any firm any goods or services."

It further provides that if any party official or public employee does this, the Attorney General of the state shall institute proceedings to remove him from public office.

We are in a quandary to understand why this significant feature was omitted from the bill in view of the racing scandals which occurred, in the State of New York and which gave rise to the section.

We call this particular section of the Act of New York to the particular attention of the executive branch of this government in determining whether or not House Bill 2108 should be signed into law.

CAUCUSES

The SPEAKER pro tempore. The Chair would like to inquire of the respective Floor Leaders if they are going to be able to complete their caucuses in 30 minutes?

Mr. McCANN. Mr. Speaker, we are confident that on our side of the House we will, since we had covered three of these bills at our previous caucus. Therefore, we are at least three bills ahead in caucus action. Thirty minutes is most satisfactory for the Democrat side.

The SPEAKER pro tempore. Is it the thought of the Minority Leader that the caucus can be completed in 30 minutes?

Mr. A. W. JOHNSON. It can, unless we get involved in a protracted discussion on House Bill 1108.

The SPEAKER pro tempore. The Chair is only trying to be realistic and would rather declare a recess sufficiently long to take care of the caucus, rather than make it 30 minutes and then stay out for an hour.

Mr. A. W. JOHNSON. Maybe we should come back at 6:00 o'clock then.

RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of forty-five minutes.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2386.

An Act amending the act of March 31, 1949 (P. L. 372) entitled "An act to promote the welfare of the people of the Commonwealth creating The General State Authority to sell and convey projects and property to the Commonwealth and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representative is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend Section 1, page 3, line 7, by striking out after the word "fields" the words "State forests and parks"; line 15, by striking out after the word "projects" the words "and State forests and parks"; page 4, line 16, by striking out after the figures "\$480,000,000" the following: "six hundred twenty-six million two hundred thousand dollars (\$626,200,000) six hundred twenty million four hundred twenty-five thousand dollars (\$620,425,000)" and inserting in lieu thereof the following: "six hundred twenty-one million four hundred thirty-one thousand four hundred dollars (\$621,431,400)"; page 5, by striking out after line 13, the following:

Section 2 The proceeds of this increased borrowing capacity shall be allocated in the following manner and as much of the work listed herein as can be completed under such allocations shall be undertaken within each agency according to the priority number where so designated parenthetically thereafter

A Department of Agriculture\$5,846,666

- (a) Construction of Office Building and Laboratory (2)
- (b) Construction of Poultry Test Building Pennsylvania State University (3)
- (c) Construction of Addition to Exhibition Building (Farm Show) (1)
- (d) Parking Lot Paving and Lighting (Farm Show) (4)

B Department of Forests and Waters\$14,998,693

- (1) Forest and Park Services Program
 - (a) Pine Grove Furnace Park Improvements (12)
 - (b) Promised Land Park Improvements (14)
 - (c) Raccoon Creek Park Improvements (16)
 - (d) French Creek Park Improvements (19)
 - (e) Hickory Run Park Improvements (20)
 - (f) Laurel Hill Park Improvements (22)
 - (g) Purchase of Lands for Development of Regional Parks around Pittsburgh and Philadelphia (13)
 - (h) Continue development of Point Park Pittsburgh (10)
 - (i) Philadelphia Independence Mall Improvements (11)
- (2) Water Resources Program

- (a) Construct Pymatuning Reservoir Bathhouse (17)
- (b) Raise level Tamaqua Desilting Dam (7)
- (c) Construct new Auburn Desilting Basin (8)
- (d) Moosic Flood Control Project (1)
- (e) Duryea Flood Control Project (2)
- (f) Scranton Unit No. 4 Flood Project (3)
- (g) Meadville Flood Protection Project (4)
- (h) Confluence Flood Control Project (5)
- (i) Danville Flood Control Project (6)
- (j) Norristown Flood Control Project (9)
- (k) Kishacoquillas Creek Reservoir (25)
- (3) River Park and Harbor Commission Program
 - (a) Construct facilities Presque Isle Park Marina (15)
 - (b) Construct Presque Isle Park Hgway (23)
 - (c) Construct Presque Isle Park Administration Building (24)
 - (d) Furnish or redecorate Valley Forge Park Bake House (21)
- (4) Youth Forestry Camps Program
 - (a) Construct and renovate youth forestry camps (18)
- C Department of Health\$2,037,552
 - (1) Health Rehabilitation Services Program
 - (a) Construction of staff quarters Pittsburgh State Tuberculosis Hospital (4)
 - (b) Construct 250 Bed Hospital Wing Henry R Landis State Hospital (1)
 - (c) Renovate apartments Henry R Landis State Hospital (2)
 - (d) Boiler conversion South College Building Henry R Landis State Hospital (3)
 - (e) Construct apartments addition to Maintenance Building Henry R Landis State Hospital (5)
- D Pennsylvania Historical and Museum Commission\$11,478,080
 - (1) Historical Properties Program
 - (a) Construction of Museum and Administration Building Pennsbury Manor (1)
 - (b) Construction of addition to Museum and Administrative Building Drake Well Memorial Park (3)
 - (c) Construction of Museum and Administration Building 28th Division Shrine (2)
 - (d) Construction of Museum and Administration Building Governor Printz Park (4)
 - (e) Construction of new buildings and renovation of old Museum Building at William Penn Memorial Museum and Archives Building (5)
- E Department of Justice\$4,110,079
 - (1) Bureau of Correction Program
 - (a) Construction of Administration Building and Officers Training Quarters (11)
 - (2) Penal and Correctional Institutions Program
 - (a) At Pennsylvania Institution for Defective Delinquents Huntingdon
 - (i) Alterations to Plumbing and Electrical System (4)
 - (ii) Alteration to Industrial Building No 1 (4)
 - (iii) Alterations to Industrial Building No 2 (5)
 - (b) At State Industrial Home for Women Muncy
 - (i) Construction of New Chapel (8)
 - (ii) Construction of Butcher Shop (9)
 - (c) Construction of New Chapel and Auditorium Eastern State Penitentiary (12)
 - (d) Main Cell Block Renovation Western State Penitentiary (1)
 - (e) Construction of Chapel Pennsylvania Industrial School Camp Hill (13)
 - (f) Construction of Educational and Vocational Building State Penitentiary at Rockview Bellefonte (3)
 - (g) At State Penitentiary at Graterford
 - (i) Construct disposal plant addition (6)
 - (ii) Replace generator (10)
 - (iii) Install additional Steam Boilers (7)
- F Department of Military Affairs\$914,844
 - (a) Improvements to Administration Building Indiantown Gap (1)

- (b) Construction of Power Plant Soldiers' and Sailors' Home Erie (2)
 - (c) Rehabilitation of Electrical Heating and Plumbing Systems Philadelphia Armory (Broad and Diamond Streets) (3)
 - C Department of Property and Supplies\$9,383,474
 - (1) Maintenance and Custody of State Office Buildings and Grounds Program
 - (a) South Office Building Improvements (1)
 - (b) North Office Building Improvements (2)
 - (c) Install air conditioning 22nd and Foster Street Warehouse Offices (4)
 - (d) Install air conditioning Northwest Office Building (5)
 - (e) Landscaping Capitol Park Area (3)
 - (2) Capitol Area Acquisition and Construction Program
 - (a) Construction of Underground Garage and completion of Property and Supplies Building (7)
 - (b) Acquisition of property Capitol Park Extension (6)
 - II Department of Public Instruction\$10,758,025
 - (1) Higher Education Services Teachers Training Program
 - (a) At Bloomsburg State Teachers College
 - (i) Construct addition to Heating Plant and Replace Utilities (6)
 - (ii) Replace Water Mains (7)
 - (b) Construction of Gymnasium and Classroom Building California State Teachers College (17)
 - (c) Construction of addition to Sewage Disposal System Cheyney State Teachers College (2)
 - (d) At Clarion State Teachers College
 - (i) Construction of Special Education Building (3)
 - (ii) Installation of New Electrical Distribution System (14)
 - (c) At East Stroudsburg State Teachers College
 - (i) Construction of New Athletic Field (9)
 - (ii) Construction of Service Building and Carage (20)
 - (f) At Edinboro State Teachers College
 - (i) Construction of addition to Boiler Plant and Expansion of Utilities (16)
 - (ii) Construction of Classroom Building (18)
 - (g) At Indiana State Teachers College
 - (i) Construction of new Athletic Field (10)
 - (ii) Construction of Home Economics Building (19)
 - (h) Construction of Sewage Disposal Plant at Kutztown State Teachers College (1)
 - (i) Construction of new Classroom Building at Lock Haven State Teachers College (12)
 - (j) At Mansfield State Teachers College
 - (i) Construction of Special Education Building (4)
 - (ii) Installation of Electrical Distribution System and Utility Expansion (8)
 - (k) Conversion of Industrial Arts Building into Administration Building at Millersville State Teachers College (13)
 - (l) Construction of Business Education and General Classroom Building at Shippensburg State Teachers College (5)
 - (m) Construction of dining hall and kitchen at Slippery Rock State Teachers College (23)
 - (n) At West Chester State Teachers College
 - (i) Construction of addition to Library (11)
 - (ii) Construction of Science Classroom Building (15)
 - (iii) Construction of Dining Hall and Kitchen (21)
 - (2) Special Services for pupils program
 - (a) Construction of Hospital at Scotland School for Veteran's Children (22)
 - I Department of Public Welfare\$24,603,745
 - (1) Mental Health Services Program
 - (a) At Allentown State Hospital
 - (i) Addition to Utilities (2)
 - (ii) Plumbing Improvements to Bathroom Facilities (14)
 - (iii) Construction of Maintenance Shops and Garage (18)
 - (iv) Construction of Admissions Diagnostic and Treatment Building (26)
 - (b) At Danville State Hospital
 - (i) Renovation of Bath Facilities Main Block Building (15)
 - (ii) Construction of Four Child Care Cottages (27)
 - (c) Completion of Water Supply System at Dixmont State Hospital (16)
 - (d) At Farview State Hospital
 - (i) Renovation of Heating and Ventilating Systems (4)
 - (ii) Renovation of Power and Lighting Systems (5)
 - (iii) Renovation of Plumbing System (6)
 - (iv) Replacement of Telephone System (7)
 - (e) Construction of Warehouse and Industrial Therapy Building at Harrisburg State Hospital (28)
 - (f) At Mayview State Hospital
 - (i) Installation of Storm Sewer System (19)
 - (ii) Renovation of General Hospital Building (25)
 - (g) At Norristown State Hospital
 - (i) Replacement of Ward Building No. 1 (8)
 - (ii) Replacement of Ward Building No. 9 (29)
 - (h) Renovation of Building C-2 and C-4 Female Group Buildings at Philadelphia State Hospital (31)
 - (i) Renovation of Kitchen and Dining Room Facilities at Warren State Hospital (17)
 - (j) Replacement of Water Distribution System at Wernersville State Hospital (9)
 - (k) Renovation and construction of Dining Rooms for Male and Female Patients at Woodville State Hospital (20)
 - (l) Purchase and renovation of Pittsburgh Tuberculosis League Institution for Western Mental Health Center (3)
 - (m) Replace Laundry renovate Dietary Facilities and Boilers at Hamburg State School and Hospital (1)
 - (n) At Pennhurst State School
 - (i) Provide additional Boiler for Powerhouse (10)
 - (ii) Replace Roof and Gutters (21)
 - (iii) Rebuilding of Subways and Overhead Walk (30)
 - (o) Renovation of Boy's and Girl's Dining Room at Polk State School (22)
 - (2) General and Special Hospital Services Program
 - (a) At Blossburg State Hospital
 - (i) Replacement of Boiler Plant (11)
 - (ii) Replacement of Laundry Building (23)
 - (b) Replacement of Boiler Plant at Coaldale State Hospital (12)
 - (c) Supplemental addition to New Wing and Replacement of Boiler Plant at Connellsville State Hospital (13)
 - (3) Services for Children and Youth Program
 - (a) Construct Boy's Youth Development Center in Central Pennsylvania (24)
- J Pennsylvania State University\$9,823,500
 - (a) Construct facilities for Nuclear Study and Research (1)
 - (b) Extension and Revision of Utilities (2)
 - (c) Construction of Physical Education Building South Wing (3)
 - (d) Construction of addition to Electrical Engineering Building (4)
 - (e) Construction of Arts and Humanities Building (5)
- K University of Pennsylvania\$6,995,000
 - (a) Construction of Social Science Center
 - (b) Construction of Veterinary Research and Instruction Building
- L Temple University\$6,752,900
 - (a) Construction of Chemistry Building
 - (b) Construction of Biology Life Science Building
 - (c) Construction of Central Heating Plant
- M University of Pittsburgh\$7,000,000
 - (a) Purchase Land and Construction of Undergraduate Library Unit

(b) Construction of General Reference Library Unit
N Lincoln University\$1,181,000
(a) Construction of New Boiler Plant and Shops
(b) Construction of Dining Hall and Student Union
building
O For additional costs arising in the execution and
implementation of any of the projects provided for
in subsection A to subsection J inclusive of this
section\$24,499,928
P For additional costs arising in the execution and
implementation of any of the projects provided for
in subsection K to subsection N inclusive of this
section\$5,701,514
Q Mercy Douglass Hospital Philadelphia for equipment
improvement alterations and repairs\$115,000
and inserting in lieu thereof the following:

Section 2. The proceeds of this increased borrowing
capacity shall be allocated approximately in the following
manner.

A Department of Apriculture Construction of Office
Building and Laboratory\$2,023,500
B Department of Forests and Waters\$10,316,160
(1) Forest and Park Services Program
(A) Purchase of lands for development of Regional
Parks around Pittsburg and Philadelphia
.....\$2,000,000.
(B) Continue development of Point Par-Pittsburgh
.....\$1,600,000
(C) Philadelphia Independence Mall Improvements
.....\$2,000,000
(2) Water Resources Program
(A) Raise Level Tamaqua Desilting Dam ..\$45,860
(B) Construct New Auburn Desilting Basin..\$280,500
(C) Moosic Flood Control Project\$600,000
(D) Duryea Flood Control Project\$382,000
(E) Scranton-Unit No. 4 Flood Project ..\$588,000
(F) Meadville Flood Protection Project ..\$700,000
(G) Confluence Flood Control Project ..\$600,000
(H) Danville Flood Control Project ...\$795,800
(I) Norristown Flood Control Project ...\$605,000
(3) River Park and Harbor Commissions Program
Construct Presque Isle Park Administration Build-
ing\$119,000
C Department of Health Health Rehabilitation Services
Program Construct 250-Bed Hospital Wing Henry R.
Landis State Hospital\$2,337,552
D Pennsylvania Historical and Museum Commission
.....\$11,348,080
(1) Historical Properties Program
(A) Construction of Museum and Administration
Building Pennsbury Manor\$83,440
(B) Construction of addition to Museum and Ad-
ministration Building Drake Well Memorial Park
.....\$264,640
(C) Construction of New Buildings and Renovation
of old Museum Building at William Penn Mem-
orial Museum and Archives Building ..\$11,000,000
E Department of Justice\$2,269,420
(1) Penal and Correctional Institutions Program
(A) At Pennsylvania Institution for Defective De-
linquents Huntingdon
(I) Alterations to Plumbing and Electrical Systems
Ward B and D\$329,400
(II) Alterations to Industrial Building No. 1
.....\$216,100
(III) Alterations to Industrial Building No. 2
.....\$162,040
(B) At State Industrial Home for Women-Muncy
(I) Construction of New Chapel\$250,000
(C) Construction of New Chapel and Auditorium
Eastern State Penitentiary\$220,000
(D) Construction of Chapel Pennsylvania Indus-
trial School Camp Hill\$176,880
(E) At State Penitentiary at Graterford
(I) Construct Disposal Plant Addition ..\$275,000
(II) Replace Generator\$140,000
(III) Install additional Steam Boilers ..\$500,000
F Department of Property and Supplies Capitol Area
Construction Program Construction of Underground

Garage and Completion of Property and Supplies
Building\$2,789,250
G Department of Public Instruction\$46,683,025
(1) Higher Education Services-Teachers Training Pro-
gram
(A) At Bloomsburg State Teachers College
(I) Construct Addition to Heating Plant and
Replace Utilities\$540,000
(II) Replace Water Mains\$80,000
(B) Construction of Gymnasium and Classroom
Building California State Teachers College
.....\$1,000,000
(C) Construction of Addition to Sewage Disposal
System Cheyney State Teachers College ..\$242,000
(D) At Clarion State Teachers College
(I) Construction of Special Education Building
.....\$120,000
(II) Installation of New Electrical Distribution
System\$270,000
(E) At East Stroudsburg State Teachers College
(I) Construction of New Athletic Field ..\$94,600
(II) Construction of Service Building and Garage
.....\$65,400
(F) At Edinboro State Teachers College
(I) Construction of Addition to Boiler Plant and
Expansion of Utilities\$643,500
(II) Construction of Classroom Building..\$703,500
(G) At Indiana State Teachers College
(I) Construction of New Athletic Field ..\$216,000
(II) Construction of Home Economics Building
.....\$703,500
(III) Field House and Gymnasium Plans and
Designing\$75,000
(H) Construction of Sewage Disposal Plant at
Kutztown State Teachers College\$290,000
(I) Construction of New Classroom Building at
Lock Haven State Teachers College\$728,500
(J) At Mansfield State Teachers College
(I) Construction of Special Education Building
.....\$120,000
(II) Installation of Electrical Distribution System
and Utility Expansion\$279,500
(K) Conversion of Industrial Arts Building into
Administration Building at Millersville State
Teachers College\$300,000
(I) Construction of Science and Classroom Build-
ing\$850,000
(L) Construction of Business Education and Gen-
eral Classroom Building at Shippensburg State
Teachers College\$791,500
(M) Construction of Dining Hall and Kitchen at
Slippery Rock State Teachers College\$500,400
(N) At West Chester State Teachers College
(I) Construction of Addition to Library ..\$423,000
(II) Construction of Science Classroom Build-
ing\$753,500
(III) Construction of dining hall and kitch-
en\$1,231,000
(2) Construction and equipping of dormitories at
state teachers colleges\$35,000,000
(3) Special services for pupils program
(A) Construction of hospital at Scotland School for
Veteran's Children\$662,125
H Department of Public Welfare\$8,523,325
(1) Mental Health Services program
(A) At Allentown State Hospital
(I) Addition to utilities\$1,475,000
(II) Construction of maintenance shops and gar-
age\$350,000
(A.1) At Danville State Hospital
(I) Renovation of bath facilities main block
building\$437,000
(B) Completion of water supply system at Dixmont
State Hospital\$375,000
(C) At Fairview State Hospital
(I) Replacement of telephone system ..\$136,400
(C) (D) At Mayview State Hospital
(I) Installation of storm sewer system ..\$162,000
(D) (E) At Norristown State Hospital
(I) Replacement of ward building No. 1 \$2,058,000

| | |
|--|--------------|
| (E) (F) Renovation of building C-2 and C-4 female group buildings at Philadelphia State Hospital | \$949,417 |
| (F) (G) Replacement of water distribution system at Wernersville State Hospital | \$432,000 |
| (G) (H) Renovation and construction of dining rooms for male and female patients at Woodville State Hospital | \$804,375 |
| (H) (I) Replace laundry renovate dietary facilities and boilers at Hamburg State School and Hospital | \$460,000 |
| (2) General and special hospital services program | |
| (A) At Bloomsburg State Hospital | |
| (I) Replacement of boiler plant | \$237,168 |
| (II) Replacement of laundry building .. | \$245,565 |
| (B) Replacement of boiler plant at Coaldale State Hospital | \$300,000 |
| (C) Supplemental addition to new wing and replacement of boiler plant at Connellsville State Hospital | \$237,800 |
| I Pennsylvania State University | \$9,823,500 |
| (A) Construct facilities for nuclear study and research | \$1,272,000 |
| (B) Extension and revision of utilities | \$909,500 |
| (C) Construction of physical education building-south wing | \$2,862,000 |
| (D) Construction of addition to electrical engineering building | \$1,070,000 |
| (E) Construction of Arts and Humanities Building | \$3,710,000 |
| J University of Pennsylvania | \$6,995,000 |
| (A) Construction of Social Science Center .. | \$4,775,000 |
| (B) Construction of Veterinary Research and Instruction Building | \$2,220,000 |
| K Temple University | \$6,752,900 |
| (A) Construction of Chemistry Building .. | \$4,804,900 |
| (B) Construction of Central Heating Plant .. | \$1,948,000 |
| L University of Pittsburgh | \$7,000,000 |
| (A) Purchase Land and Construction of underground library unit | \$4,000,000 |
| (B) Construction of General Reference Library Unit | \$3,000,000 |
| M Lincoln University | \$1,181,000 |
| (A) Construction of New Boiler Plant and Shops | \$312,000 |
| (B) Construction of Dining Hall and Student Union Building | \$869,000 |
| N For additional costs arising in the Execution and Implementation of any of the projects provided for in subsection A to subsection I inclusive of this section | \$15,456,774 |
| O For additional costs arising in the Execution and Implementation of any of the projects provided for in subsection J to subsection M inclusive of this section | \$5,701,514 |
| P Mercy-Douglass Hospital Philadelphia, Pennsylvania for equipment improvement alterations and repairs | \$115,000 |
| Q Construction of Hospital Building, Philadelphia College of Osteopathy | \$1,000,000 |

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

| | | | |
|------------|-------------------|-------------|------------|
| Anderson, | Galley, | McCandless, | Rudisill, |
| Arlene, | Gallagher, | McCann, | Sakulsky, |
| Ashton, | Garlock, | McCormack, | Scarcelli, |
| Balthaser, | Gelfand, | McDonald, | Schaaf, |
| Barton, | Goldstein, M. H., | McLaughlin, | Schuster, |
| Bell, | Goodrich, | Machmer, | Schwartz, |
| Bonner, | Gramlich, | Mahan, | Seltzer, |

| | | | |
|------------|-----------------|--------------------|-----------------------|
| Boris, | Guthrie, | Markley, | Sherman, |
| Bower, | Hamilton, | Mehoichick, | Shupnik, |
| Bowman, | Heavey, | Mihm, | Silverman, |
| Branca, | Heffner, | Miller, B. Z., | Snider, |
| Breth, | Helm, | Miller, H. G., | Stank, |
| Brown, | Henzel, | Mills, | Steckel, |
| Buchanan, | Holliday, | Muldowney, | Stewart, |
| Capano, | Holt, | Mullen, | Stimmel, |
| Capitolo, | Horst, | Munley, | Stone, |
| Cianfrani, | Irvic, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Isaacs, | Murray, H. P., | Stroup, |
| Clarke, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kee, | Odoriso, | Ujobal, |
| Dennison, | Keiser, | Ogilvie, | Varallo, |
| Devlin, | Kernaghan, | O'Neil, | Varnier, |
| Dougherty, | Kessler, | Parlante, | Verona, |
| Edwards, | Knecht, | Pashley, | Wall, |
| Ellberg, | Kooker, | Perry, H. H., | Walsh, |
| Eshback, | Korns, | Perry, P. E., | Wargo, |
| Eshleman, | Kovolenko, | Petrosky, | Welsh, |
| Fetterolf, | Kubitsky, | Polen, | Wescott, |
| Filo, | Lamb, | Prendergast, | Wheeler, |
| Fineman, | Lee, A. M., | Price, | Williams, A. D., Jr., |
| Floyd, | Lee, K. B., | Pursley, | Williams, E. S., |
| Flynn, | Leonard, | Reibman, | Wood, |
| Foerster, | Light, | Renwick, | Wynd, |
| Frank, | Limper, | Rigby, | Yatron, |
| Frascella, | Lopresti, | Riley, | Yetter, |
| Fulmer, | Luigard, | Rovansek, | Andrews, |
| | Lutty, | Royer, | Speaker |

NAYS—5

| | | | |
|------------|----------|----------|---------|
| Farabaugh, | Kornick, | Polaski, | Worley, |
| Hocker, | | | |

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenschild, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. KORNICK filed the following reasons for his vote on House Bill 2386.

My purpose of voting against House Bill 2386 is the fact that for the past five years we in Fayette County have pleaded with the Secretary of Forests and Waters to make funds available for a recreational park for Fayette County, and in each pleading we were advised that no funds were available for a recreation park in Fayette County.

Now we see that in House Bill 2386, known as G. S. A., there are funds for a park for Somerset County which already has a park, and in addition there are funds appropriated for a park in Indiana County, in the amount of \$750,000.

I think I would be a poor Representative if I did not protest against this action. I feel that the people of Fayette County are not entitled to the treatment they are receiving under this G. S. A. Bill, known better as House Bill 2386.

CONCURRENT RESOLUTION

RETURNING HOUSE BILL No. 1517 TO THE GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, December 18, 1959.

Resolved, (the Senate concurring), That House Bill No. 1517, Printer's No. 928, entitled "An act amending the act of May 3, 1933 (P. L. 242), entitled 'An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees and providing penalties,' changing from annual to biennial registration and increasing registration fees," which was recalled from the Governor July 30, 1959, for the purpose of amendment be returned to the Governor without amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 1250.

An Act authorizing the conferring of the rank of Brigadier General Retired in the Pennsylvania National Guard upon Medical Corps Colonels who have served in World War I and World War II

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1, by striking out at the beginning of the line the word "conferring" and inserting in lieu thereof the words "authorizing the conferring of"; line 3, by striking out after the word "upon" the words "George Sarraf" and inserting in lieu thereof the words "Medical Corps Colonels who have served in World War I and World War II"; Section 1, page 2, line 2, by striking out after the word "authorized" the words "and directed"; line 2, by striking out after the word "commission" the words "George Sarraf as a" and inserting the word "as"; line 4, by inserting after the word "Guard" the following: "Guard those colonels of the medical corps thereof who have served in the armed forces of the United States in World War I and World War II."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, Senate Bill No. 1250, as it originally passed the House and the Senate carried in its title the name of George J. Sarraf. The bill was recalled from the Governor because it is unconstitutional and in its place, both in the title and in the bill, was placed information dealing with service in the Medical Corps in World War I and World War II. The bill, as now before

us, pertains to one man, George J. Sarraf, even though it is not in that name.

Mr. TOMPKINS. Mr. Speaker, our Members in caucus voted to non-concur in this amendment because of the fact that they did not know how many people might be affected by the bill. We were rather astounded, of course, on this side when Mr. McCann just made a statement, to learn that there is only one person in the Commonwealth of Pennsylvania that was a Colonel in the Medical Corps in both World War I and World War II who would be affected by this bill. We hope that it is so.

We are in no position to deny the statement of the gentleman, we will just have to take it at its face value, but there seems to be a lot of doubting Thomases on this side, believe me.

Mr. McCANN. Mr. Speaker, those are the facts of the case. They also can be verified in the Senate. This was a Senate bill, of course, recalled, and I am sure that they can check without any trouble. This bill, when authorized by law, would permit one George J. Sarraf, a Colonel, to become a General.

I think the record ought to be clear for the purpose of the entire House.

There was a bill in this House on which the gentleman from Blair, Mr. Auker, served as a conferee. It was agreed that Mr. Walker would become a General and it was agreed that Sarraf would become a General. This bill pertains to George J. Sarraf. The other bill pertained to Senator Walker of Cambria County. Those are the two General bills agreed to.

Mr. ISAACS. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, it seems to me we have made several men Brigadier Generals or some other title, and I would like to ask the Majority Leader if those bills are unconstitutional where they were mentioned by name.

Mr. McCANN. Mr. Speaker, in this Session we passed one bill which is now law. It is not unconstitutional. It makes Colonel Ernest Walker a General in the Reserve. This is the other bill. We passed no bills making anyone an Admiral in the Pennsylvania Navy.

Mr. ISAACS. Mr. Speaker, what did we do with Colonel Drake? We passed some kind of a bill.

Mr. McCANN. We passed two bills making Generals out of Colonels who have long since died. One was General Drake; he was made a Colonel. This was done for the purposes of the oil well campaign publicity but he never held a Colonelcy or any rank officially or in any capacity either in the nation or Pennsylvania. The other was a school that they had built in the Commonwealth and named it General McLane and he had only been a Colonel. Since the school house was built and named, we felt that we should make him a General.

Mr. ISAACS. Mr. Speaker, did we mention Mr. Walker by name in the bill?

Mr. McCANN. We did not, Mr. Speaker.

Mr. ISAACS. We did not. I thank the Majority Leader. I like Dr. Sarraf and I am going to vote for the bill, but I was hoping that we were not voting for an open end bill.

Mr. BELL. Mr. Speaker, I am going to vote for this bill, but I am going to put everybody on notice that this is the last one I am going to vote for, because when we open the door for everybody to come in and be made a General or Colonel or Sergeant or Corporal, you are cheapening the rank. I just want to make that clear.

Mr. HOLLIDAY. Mr. Speaker, I am not a Colonel, but I did have a commission as Captain in the First World War and a commission as Major in the Second World War. Now I just wonder how a person could get even a Colonelcy out of this?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Gallagher, | Lutty, | Royce, |
| Arlene, | Garlock, | McCandless, | Rudisill, |
| Ashton, | Gelfand, | McCann, | Sakulsky, |
| Balthaser, | Goldstein, M. H., | McCormack, | Scarcell, |
| Barton, | Goodrich, | McDonald, | Schaa, |
| Bell, | Gramlich, | McLaughlin, | Schuster, |
| Bonner, | Guthrie, | Machmer, | Schwartz, |
| Boris, | Hamilton, | Mahan, | Seltzer, |
| Bower, | Heavey, | Markley, | Sherman, |
| Bowman, | Heffner, | Meholchick, | Shupnik, |
| Branca, | Helm, | Mihm, | Silverman, |
| Breth, | Henzel, | Miller, B. Z., | Snider, |
| Brown, | Hocker, | Miller, H. G., | Stank, |
| Buchanan, | Holliday, | Mills, | Steckel, |
| Capano, | Holt, | Muldowney, | Stewart, |
| Capitolo, | Horst, | Mullen, | Stimmel, |
| Cianfrani, | Irviss, | Munley, | Stone, |
| Cioffi, | Isaacs, | Murphy, A. J., Jr., | Stoner, |
| Clarke, | Jim, | Murray, H. P., | Stroup, |
| Comer, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Curwood, | Johnson, R., | Musto, | Taylor, |
| Davis, | Jones, F. R., | Needham, | Thompson, |
| Dengler, | Kamyk, | Nelson, | Tompkins, |
| Dennis, | Kee, | O'Donnell, J. P., | Trusio, |
| Dennison, | Keiser, | Ogilvie, | Ujobai, |
| Devlin, | Kernaghan, | O'Neill, | Varallo, |
| Dougherty, | Kessler, | Parlante, | Varner, |
| Edwards, | Knecht, | Pashley, | Verona, |
| Ellberg, | Kooker, | Perry, H. H., | Wall, |
| Eshback, | Kornick, | Perry, P. E., | Walsh, |
| Eshleman, | Korns, | Petrosky, | Wargo, |
| Farabaugh, | Kovolenko, | Polaski, | Welsh, |
| Fetterolf, | Kubitsky, | Polen, | Wescott, |
| Filo, | Lamb, | Prendergast, | Wheeler, |
| Fineman, | Lee, A. M., | Price, | Williams, A. D., Jr., |
| Floyd, | Lee, K. B., | Pursley, | Williams, E. S., |
| Flynn, | Leonard, | Reibman, | Wood, |
| Foerster, | Light, | Renwick, | Worley, |
| Frank, | Limper, | Rigby, | Wynd, |
| Frascella, | Lopresti, | Riley, | Yatron, |
| Fulmer, | Luigard, | Rovansek, | Yetter, |
| Galley, | | | Andrews, |

Speaker

NAYS—2

Odorisio, Worley.

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenshield, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 203.

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" imposing cer-

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 5, line 6, by inserting the following: "consistent with rules and regulations promulgated by and policies established by the Governor the Executive Board and the Civil Service Commission or both"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|---------------------|-----------------------|
| Anderson, | Garlock, | McCann, | Sakulsky, |
| Arlene, | Gelfand, | McCormack, | Scarcell, |
| Ashton, | Goldstein, M. H., | McDonald, | Schaa, |
| Balthaser, | Goodrich, | McLaughlin, | Schuster, |
| Barton, | Gramlich, | Machmer, | Schwartz, |
| Bell, | Guthrie, | Mahan, | Seltzer, |
| Bonner, | Hamilton, | Markley, | Sherman, |
| Boris, | Heavey, | Meholchick, | Shupnik, |
| Bower, | Heffner, | Mihm, | Silverman, |
| Bowman, | Helm, | Miller, B. Z., | Snider, |
| Branca, | Henzel, | Miller, H. G., | Stank, |
| Breth, | Hocker, | Mills, | Steckel, |
| Brown, | Holliday, | Muldowney, | Stewart, |
| Buchanan, | Holt, | Mullen, | Stimmel, |
| Capano, | Horst, | Munley, | Stone, |
| Capitolo, | Irviss, | Murphy, A. J., Jr., | Stoner, |
| Cianfrani, | Isaacs, | Murray, H. P., | Stroup, |
| Cioffi, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P., | Trusio, |
| Dennis, | Kee, | Ogilvie, | Ujobai, |
| Dennison, | Keiser, | O'Neill, | Varallo, |
| Devlin, | Kernaghan, | Parlante, | Varner, |
| Dougherty, | Kessler, | Pashley, | Verona, |
| Edwards, | Knecht, | Perry, H. H., | Wall, |
| Ellberg, | Kooker, | Perry, P. E., | Walsh, |
| Eshback, | Kornick, | Petrosky, | Wargo, |
| Eshleman, | Korns, | Polaski, | Welsh, |
| Farabaugh, | Kovolenko, | Polen, | Wescott, |
| Fetterolf, | Kubitsky, | Prendergast, | Wheeler, |
| Filo, | Lamb, | Price, | Williams, A. D., Jr., |
| Fineman, | Lee, A. M., | Pursley, | Williams, E. S., |
| Floyd, | Lee, K. B., | Reibman, | Wood, |
| Flynn, | Leonard, | Renwick, | Worley, |
| Foerster, | Light, | Rigby, | Wynd, |
| Frank, | Limper, | Riley, | Yatron, |
| Frascella, | Lopresti, | Rovansek, | Yetter, |
| Fulmer, | Luigard, | Royce, | Andrews, |
| Galley, | Lutty, | Rudisill, | |
| Gallagher, | McCandless, | | |

Speaker

NAYS—0

NOT VOTING—43

| | | | |
|-------------|-------------------|----------------|------------------|
| Agnew, | Down, | McInroy, | O'Donnell, J. A. |
| Auker, | Ewing, | McKeever, | Reldenbach, |
| Blair, | Fox, | Magee, | Snare, |
| Boles, | George, | Maxwell, | Stevens, |
| Brenninger, | Gibb, | Merry, | Strausser, |
| Burns, | Goldstein, J. H., | Monroe, | Weldner, |
| Clarke, | Haudenschild, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willareddt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1355

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1355.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives.

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1355, entitled: "An act amending the act of June 24, 1939 (P. L. 872), entitled 'An act to consolidate, amend and revise the penal laws of the Commonwealth,' prohibiting the reduction of a charge of larceny to a charge of shoplifting and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and"

Respectively submit the following bill as our report:

THOMAS A. EHRGOOD,
RAYMOND P. SHAFER,
WM. VINCENT MULLIN,

(Committee on the part of the Senate.)

STEPHEN McCANN,
WALTER T. KAMYK,
JOHN STEWART, JR.,

(Committee on the part of the House of Representatives.)

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the reduction of a charge of larceny to a charge of shoplifting The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 816.1 act of June 24 1939 (P L 872) known as "The Penal Code" added July 5 1957 (P L 501) is amended to read

Section 816.1 Shoplifting (a) Whoever shall wilfully take possession of any goods wares or merchandise offered for sale by any store or other mercantile establishment with the intention of converting the same to his own use without paying the purchase price thereof shall be guilty of shoplifting and upon conviction thereof in a summary proceeding shall be sentenced to pay a fine of not less than twenty-five dollars (\$25) and not more than fifty dollars (\$50) or to undergo imprisonment of not less than five (5) days and not more than ten (10) days or both

(b) Any person wilfully concealing unpurchased goods or merchandise of any store or other mercantile establishment either on the premises or outside the premises of such store shall be prima facie presumed to have so concealed such article with the intention of converting the same to his own use without paying the purchase price thereof within the meaning of subsection (a) of this section and the finding of such unpurchased goods or merchandise concealed upon the person or among the belong-

ings of such person shall be prima facie evidence of wilful concealment and if such person conceals or causes to be concealed such unpurchased goods or merchandise upon the person or among the belongings of another the finding of the same shall also be prima facie evidence of wilful concealment on the part of the person so concealing such goods Persons so concealing such goods may be detained in a reasonable manner and for a reasonable length of time by a peace officer or a merchant or a merchant's employe in order that recovery of such goods may be effected Such detention by a peace officer merchant or a merchant's employe shall not render such peace officer merchant or merchant's employe criminally or civilly liable for false arrest false imprisonment or unlawful detention

(c) The offences for which penalties and the presumptions are herein provided shall not be exclusive and shall be in addition to previously existing offenses and such rights and presumptions as were heretofore provided by law no magistrate alderman or justice of the peace shall have the power to reduce any charge of larceny to a charge of shoplifting as defined in this section

Section 2 This act shall take effect immediately

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 1355.

Mr. McCORMACK. Mr. Speaker, I would like to ask the Majority Leader what was the report of conference?

Mr. McCANN. Mr. Speaker, I would be glad to reply. On 1355, the conferees of the House were Mr. Kamyk, Mr. Stewart and myself. I had originally assigned Mr. Eilberg of Philadelphia, who could not be a Member. This was his bill.

Mr. McCORMACK. And what was done?

Mr. McCANN. The amendments placed in the bill by the Senate were agreed to be removed, and the House bill in its original form has passed the House.

Mr. McCORMACK. Thank you.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

| | | | |
|------------|-----------------|--------------------|------------|
| Anderson, | Galley, | Lutty, | Royer, |
| Arlene, | Gallagher, | McCandless, | Rudisill, |
| Ashton, | Garlock, | McCann, | Sakulsky, |
| Balthaser, | Gelfand, | McCormack, | Scarcelli, |
| Barton, | Goodrich, | McDonald, | Schaaf, |
| Bell, | Gramlich, | McLaughlin, | Schuster, |
| Bonner, | Guthrie, | Machmer, | Schwartz, |
| Boris, | Hamilton, | Mahan, | Seltzer, |
| Bower, | Heavey, | Markley, | Sherman, |
| Bowman, | Heffner, | Meholchick, | Shupnik, |
| Branca, | Helm, | Mihm, | Silverman, |
| Breth, | Henzel, | Miller, B. Z., | Snider, |
| Brown, | Hocker, | Miller, H. G., | Stank, |
| Buchanan, | Holliday, | Mills, | Steckel, |
| Capano, | Holt, | Muldowney, | Stewart, |
| Capitolo, | Horst, | Mullen, | Stimmel, |
| Cianfrani, | Irviss, | Munley, | Stone, |
| Cioffi, | Isaacs, | Murphy, A. J., Jr. | Stoner, |
| Clarke, | Jim, | Murray, H. P., | Stroup, |
| Comer, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Curwood, | Johnson, R., | Musto, | Taylor, |
| Davis, | Jones, F. R., | Nedham, | Thompson, |
| Dengler, | Kamyk, | Nelson, | Tompkins, |
| Dennis, | Kee, | O'Donnell, J. P. | Truskins, |
| Dennison, | Keiser, | Odorisio, | Ujobai, |
| Devlin, | Kernaghan, | Ogilvie, | Varallo, |
| Dougherty, | Kessler, | O'Neil, | Varner, |
| Edwards, | Knecht, | Parlante, | Verona, |
| Eilberg, | Kooker, | Pashley, | Wall, |

| | | | |
|------------|-------------|---------------|-----------------------|
| Eshback, | Kornick, | Perry, H. H., | Walsh, |
| Eshleman, | Korns, | Perry, P. E., | Wargo, |
| Farabaugh, | Kovolenko, | Petrosky, | Welsh, |
| Fetterolf, | Kubitsky, | Polaski, | Wescott, |
| Filo, | Lamb, | Polen, | Wheeler, |
| Fineman, | Lee, A. M., | Prendergast, | Williams, A. D., Jr., |
| Floyd, | Lee, K. B., | Price, | Williams, E. S., |
| Flynn, | Leonard, | Pursley, | Wood, |
| Foerster, | Light, | Renwick, | Wynd, |
| Frank, | Limper, | Rigby, | Yatron, |
| Frascella, | Lopresti, | Riley, | Yetter, |
| Fulmer, | Luigard, | Rovansek, | Andrews, |
| | | | Speaker |

NAYS—3

Goldstein, M. H., Reibman, Worley,

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenschild, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1971

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1971.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1971, entitled: "An act amending the act of April 12, 1951 (P. L. 90), entitled 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto regulating and restricting the manufacture, purchase, sale, possession consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; * * * authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.'"

Respectfully submit the following bill as our report:

WILLIAM Z. SCOTT
BERNARD B. McGINNIS
(Committee on the part of the Senate.)

WALTER T. KAMYK
JAMES J. DOUGHERTY
JOSEPH P. RIGBY

(Committee on the part of the House of Representatives.)

An Act amending the act of April 12, 1951 (P. L. 90) entitled "An act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein

defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures providing for local option and repealing existing laws" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 406 act of April 12, 1951 (P. L. 90) known as the "Liquor Code" amended May 27, 1957 (P. L. 201) is amended to read

Section 406 Sales by Liquor Licensees Restrictions (a) Every hotel restaurant or club liquor licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employees other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club No club holding a catering license nor its officers servants agents or employees shall sell on Sunday to nonmembers any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guests rooms in the hotel.

Hotel liquor licensees and restaurant liquor licensees located in hotels in cities of the first and second class may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day until two o'clock antemeridian of the following day except Sunday and may sell liquor and malt or brewed beverages on Sunday between the hours of one o'clock postmeridian and ten o'clock postmeridian. Such Sunday sales shall be made subject to the restrictions imposed by the act on sales by hotels and restaurants in hotels for sales on week days as well as this section.

Hotel [restaurant] and restaurant liquor licensees other than those located in hotels in cities of the first and second class and public service liquor licensees their servants agents or employees may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following day and shall not sell on Sunday [or] No hotel restaurant and public service liquor licensee shall sell liquor and malt or brewed beverages after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employees may sell liquor or malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day.

Any hotel restaurant club or public service liquor licensee may by given notice to the board advance by one hour the hours herein prescribed as those during which liquor and malt or brewed beverages may be sold during such part of the year when daylight saving time is being observed generally in the municipality in which the place of business of such licensee is located. Any licensee who elects to operate his place of business in accordance with daylight saving time shall post a conspicuous notice in his place of business that he is operating in accordance with daylight saving time

(b) Whenever electors equal to at least twenty-five per centum of the highest vote cast for any office in any city of the first or second class at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of determining the will of the electors with respect to the

authorization of the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels the county board of elections shall cause a question to be placed on the ballots or on the voting machine board and submitted at the primary immediately preceding the municipal election. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing filing and adjudication of nomination petitions in so far as such provisions are applicable. Such question shall be in the following form:

| | |
|--|-----|
| Do you favor the authorization of the sale of liquor and malt or brewed beverages on Sunday in hotels between the hours of one o'clock postmeridian and ten o'clock postmeridian | Yes |
| | No |

The said question shall be printed on separate official ballots in bound form by the county commissioners of each county in which cities of the first and second class are established. A sufficient number of ballots shall be furnished to the election officers in each election district of such counties so that one ballot may be supplied to each voter at such election. In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes.

(c) The votes cast on such question shall be counted by the election officers and returns thereof made by them and by election officers where voting machines are used to the prothonotary of the county who shall lay the same before the return board for computation at the same time and in the same manner as other returns. The return board shall compute the said returns by municipalities and certify the results of the vote cast on the question to the Pennsylvania Liquor Control Board.

(d) In any city of the first or second class the will of the electors with respect to the authorization of the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels may after the year 1960 but not oftener than once in four years be ascertained and the question as provided in this act shall be submitted to the electors of any city of the first or second class upon demand in writing of petitioners equal to at least twenty-five per centum of the highest vote cast for any office in the city of the first or second class at the last preceding general or municipal election. Such petition shall be filed with the corporate authorities at least sixty days before the day of any election at which the question is to be submitted and if the petition is sufficiently signed shall thereupon be certified to the county commissioners who shall cause such question to be submitted in the same manner as is provided in this act for the election in the year 1960. If a majority of the electors voting in any city of the first or second class vote "yes" authorization of the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels shall be granted by the Pennsylvania Liquor Control Board but if a majority of the electors voting on such question vote "no" then the authorization shall be withdrawn.

(e) It is the intent of this act to provide a method whereby the will of the electors of each city with respect to the authorization of the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels may be ascertained and it shall be the duty of the Pennsylvania Liquor Control Board to grant such authorization in accordance with the will of the electors as ascertained at said election. In case of failure of the board to do so the duty herein imposed upon the board may be enforced by mandamus.

(f) The provisions of this section shall be applicable only to those hotels whose sales of food and nonalcoholic beverages are equal to fifty-five per centum or more of the combined gross sales of both food and alcoholic beverages.

(g) The provisions of this section shall be applicable only to those rooms in hotels customarily used for the serving of food.

(h) The board is specifically given power without limiting the power conferred by other sections to make such rules and regulations as it deems necessary to insure

compliance with and the enforcement of the provisions of this section.

Section 2 This act shall take effect immediately but the sale of liquor and malt or brewed beverages on Sunday in hotels in cities of the first and second class shall not be permitted in any city until after a majority of electors voting in such city of the first or second class vote in favor of such sale under the referendum provisions of Section 406.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 1971.

Mr. FOERSTER. Mr. Speaker, House Bill 1971 is strictly a bill designed for a favored few hotels in two of our great cities, Pittsburgh and Philadelphia.

In my opinion, there is no justification to treat these favored few any differently than the majority of owners of establishments in Pennsylvania that sell liquor and malt beverages.

What excuse could we use to grant the Sunday selling of liquor and malt beverages to a few hotels and put restaurants and taverns in these two cities in an unfavorable competitive position?

I am not arguing for a completely "open" Sunday, but I am fearful that this is the first wedge to force an "open" Sunday.

Most tavern owners in my district do not want to open on Sundays, but will be forced to do so if this bill passes.

Sometime earlier in this Session I voted for Senate Bill 405. In my opinion, a vote for that bill precludes a vote for this bill. There are many organizations who were out lobbying for Senate Bill 405 and some of the arguments they gave I would like to read now, for I think it pertains to this bill before us, House Bill 1971.

This is from the Federation of Labor, which states, "Sunday sales are not in the public interest but rather in the interest of the few proprietors who seek the competitive advantage of being open when the overwhelming number of retail establishments are closed."

I think the same thing holds true on this bill. Also, continuing,

"Sunday commercial activity has been frowned upon by the American people from the day our country was founded. It has for many generations been public policy to keep one day free from such commercial activities."

POINT OF ORDER

Mr. McCORMACK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, we are discussing the amendments, and the point of order is that he is debating the merits of the bill.

The SPEAKER. The point of order is well taken. The only excuse is that in times past we have been a little liberal.

The Chair would prefer, since the gentleman is reading from a manuscript, that he file his manuscript for the record, for in discussing the merits of the bill the gentleman is distinctly out of order and the only matter before the House is the difference between the two Houses.

PARLIAMENTARY INQUIRY

Mr. TOMPKINS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. Mr. Speaker, was not the inquiry of the gentleman from Philadelphia in connection with concurrences? This is a conference report we are working on and the whole bill is before us.

The SPEAKER. The Chair is in error.

Mr. McCORMACK. I withdraw the point of order, Mr. Speaker.

The SPEAKER. This is a conference report, and the gentleman from Allegheny is privileged to discuss the report in its entirety. The Chair apologizes to the House. He is so accustomed to the other kind of business that his mind just followed that track. The gentleman from Allegheny will proceed.

Mr. FOERSTER. Mr. Speaker, continuing the arguments the Pennsylvania Federation of Labor has given for its position against Sunday activities in other fields.

It has for many generations been public policy to keep one day free from such commercial activities, particularly those involving the sale of non-essentials. If there were religious origins for this development they have long ceased to be the exclusive or even the most important consideration. It is universally accepted that Sunday is the one day of the week when families spend time together, when workers may find time for necessary rest and recreation and finally when those who so desire may find opportunity for worship together with their family and friends.

"The Labor movement in general and the Pennsylvania Federation of Labor in particular have long been interested in the curtailment and elimination of non-essential retail enterprise on Sunday. This is in keeping with our overall and long standing policy involving a shorter work week and more opportunity for Pennsylvania's workers to enjoy opportunities for rest, recreation and spiritual contemplation.

If the trend continues it will not be long before most other establishments will be compelled out of sheer economic self-defense and self-preservation to likewise throw their doors open."

My point, Mr. Speaker, is that if this bill passes, the next Session we are down here, there will be no justification for us not to give permission to every tavern owner and every restaurant in the Commonwealth the privilege of selling liquor and malt beverages on Sunday.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. RIGBY, HOCKER and GRAMLICH.

The roll was verified and was as follows:

YEAS—108

| | | | |
|------------|------------|----------------|------------|
| Anderson, | Frank, | McDonald, | Rovansek, |
| Arlene, | Frascella, | McLaughlin, | Rudisill, |
| Ashton, | Galley, | Markley, | Scarcelli, |
| Balthaser, | Gallagher, | Meholchick, | Schaaf, |
| Bell, | Gelfand, | Mihm, | Schuster, |
| Bonner, | Heavey, | Miller, B. Z., | Schwartz, |
| Branca, | Holliday, | Mills, | Sherman, |
| Breth, | Holt, | Mul'en, | Shupnik, |
| Capano, | Irvlis, | Munley, | Silverman, |
| Capitolo, | Isaacs, | Murray, H. P. | Stank, |

| | | | |
|------------|---------------|-------------------|----------------------|
| Cianfrani, | Jim, | Murray, J. J., | Steckel, |
| Cioffi, | Johnson, R., | Musto, | Stewart, |
| Clarke, | Jones, F. R., | Needham, | Stimmel, |
| Comer, | Kamyk, | Nelson, | Stone, |
| Curwood, | Kee, | O'Donnell, J. P., | Sullivan, |
| Dengler, | Kernaghan, | Odorisio, | Taylor, |
| Dennis, | Kornick, | O'Neill, | Ujohal, |
| Devlin, | Kovolenko, | Parlante, | Varallo, |
| Dougherty, | Lamb, | Fashley, | Verona, |
| Elberg, | Lee, A. M., | Perry, H. H., | Wargo, |
| Eshback, | Leonard, | Perry, P. E., | Welsh, |
| Farabaugh, | Limper, | Petrosky, | Wheeler, |
| Fetterolf, | Lopresti, | Polaski, | Williams, A.D., Jr., |
| Filo, | Luigard, | Folend, | Wynd, |
| Fineman, | Lutty, | Reibman, | Yatron, |
| Floyd, | McCann, | Renwick, | Yetter, |
| Flynn, | McCormack, | Riley, | Andrews, |

Speaker

NAYS—43

| | | | |
|-------------------|-----------------|-------------|------------------|
| Barton, | Goodrich, | Knecht, | Seltzer, |
| Bower, | Gramlich, | Kooker, | Snider, |
| Buchanan, | Guthrie, | Korns, | Stroup, |
| Davis, | Hamilton, | Lee, K. B., | Thompson, |
| Dennison, | Helm, | McCandless, | Tompkins, |
| Edwards, | Henzel, | Mahan, | Wall, |
| Eshleman, | Hocker, | Ogilvie, | Walsh, |
| Foerster, | Horst, | Price, | Williams, E. S., |
| Fulmer, | Johnson, A. W., | Pursley, | Wood, |
| Garlock, | Kelser, | Rigby, | Worley, |
| Goldstein, M. H., | Kessler, | Royer, | |

NOT VOTING—59

| | | | |
|-------------|-------------------|---------------------|------------|
| Agnew, | Fox, | Mages, | Sakulsky, |
| Auker, | George, | Maxwell, | Snare, |
| Blair, | Gibb, | Merry, | Stevens, |
| Boles, | Goldstein, J. H., | Miller, H. G., | Stoner, |
| Boris, | Haudenschild, | Monroe, | Strausser, |
| Bowman, | Heffner, | Moran, | Trusio, |
| Brenninger, | Jenkins, | Muldowney, | Varnier, |
| Brown, | Jones, T. H. W., | Murphy, A. J., Jr., | Weldner, |
| Burns, | Jump, | Murphy, P. J., | Wescott, |
| Cooper, | Kubitsky, | Murray, P. G., | Whittaker, |
| Crossin, | Light, | Naugle, | Willard, |
| Donahue, | Lippincott, | O'Dell, | Willaredt, |
| Donaldson, | McInroy, | O'Donnell, J. A., | Wilt, |
| Down, | McKeever, | Prendergast, | Zimmerman, |
| Ewing, | Machmer, | Reidenbach, | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1108.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing the basis for reimbursement on account of instruction and changing the basis for reimbursement in certain cases.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Title, page 1, line 4, by striking out after the word "thereto" the following: "providing a general stand-

and reimbursement for all purposes where reimbursement fractions are used and revising" and inserting in lieu thereof the word "increasing"; line 8, by inserting after the part word "tion" the following: "and changing the basis for reimbursement in certain cases."

Page 2, by inserting on line 1, the following:

"Section 1 Subsection (a) of section 1306 act of March 10, 1949 (P. L. 30) known as the 'Public School Code of 1949' amended September 7, 1955 (P. L. 583) and February 17, 1956 (P. L. 1067) is amended to read:

"Section 1306 Non-resident inmates of children's institutions

"(a) The board of school directors of any school district in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district [either with or without charge for tuition textbooks or school supplies as the directors of the district in which such institution is located may determine] when any home or institution having for its purpose the care and training of children and having non-resident children under its care is located in more than one school district educational facilities may be provided by either district as though the institution were located wholly in that district if the district or districts in which the institution is located does not have facilities to accommodate the children in its schools or in a joint school of which it is a member the board of directors shall so notify the Superintendent of public instruction not later than July one if the superintendent of public instruction after investigation finds that neither the school district nor the joint school board if any can accommodate the non-resident inmates of the institution during the ensuing school term he shall direct the district and the joint school board if any to enter into an agreement with another school district or joint school board to accept them on a tuition basis

* * *

"Section 2 Sections 1307 and 1308 of the act are repealed

"Section 3 Section 1309 of the act is amended to read

"Section 1309 Cost of tuition how fixed the cost of Tuition [in such cases] for any child attending a public school pursuant to section 1306 shall be fixed as is now provided by law for tuition costs in other cases except where for the accommodation of such children it shall be necessary to provide a separate school or to erect additional school buildings in which cases the charge for tuition for such children may include a proportionate cost of the operating expenses rental and interest on any investment required to be made in erecting such new school buildings the tuition herein provided for shall be paid annually by the superintendent of public instruction [or the institution as the case may be] except when the inmate is not a resident of Pennsylvania in which case the tuition shall be paid by the institution."

Amend page 5, line 5, by striking out after the word "Section" the numeral "1" and inserting in lieu thereof the numeral "4"; line 5, by striking out after the numerals "2501" the words and figures "Act of March 10, 1949" (P. L. 30) known as the 'Public School Code of 1949', and inserting in lieu thereof the words "of the Act"; line 10 by striking out after the word "Pupils" the words "of a school district"; and by inserting after line 10 the following: "who are residents of a given school district and are either"; line 12, by striking out after the word "the" where it appears the second time the following: "[Commonwealth and of adjacent states who are residents of a given school district [except those pupils who are enrolled in the public schools maintained by the vocational school district the territorial limits of which include the school district 'District Pupils' of a vocational school district shall designate all pupils enrolled in the public schools maintained by the vocational school district who are residents of the district]."

and inserting in lieu thereof the following: "district or joint schools of area technical schools in which the district of residence participates or enrolled in other public

schools and for whom the district of residence pays a tuition charge (i) under the provisions of sections 1372 2509.1 or 2562 of this act or (ii) in the case of pupils in average daily membership in a laboratory school of a state teachers' college or attending public schools not located within this Commonwealth a tuition charge approved or determined by the Department of Public Instruction."

Amend page 6, line 13, by striking out after the word "teaching" the word "unit" and inserting in lieu thereof the word "units"; page 7, line 12, by striking out after the word "be" the following: "[for the school year 1955-1956 four thousand nine hundred dollars (\$4900) for the school year 1956-1957 five thousand three hundred dollars (\$5300) for the school year 1957-1958 and for each school year thereafter unless changed by act of the General Assembly]"

and inserting in lieu thereof the following: "for the school year 1958-1959" and by striking out immediately thereafter the words and figures "five thousand eight hundred dollars (\$5,800)" and inserting in lieu thereof the words and figures "six thousand two hundred dollars (\$6,200)" and by striking out immediately thereafter the following: "six thousand three hundred dollars for the school year 1958-1959 and six thousand nine hundred dollars (\$6900);" line 20, by striking out after the word "thereafter" the words and figures "six thousand two hundred dollars (\$6,200)" and inserting in lieu thereof the words and figures "five thousand eight hundred dollars (\$5,800);" page 8, by striking out after line 10 the following: "(5.1) 'Standard Reimbursement Fraction' the Department of Public Instruction shall compute the standard reimbursement fraction of each school district annually in the month of December."

"The standard reimbursement fraction of each school district shall be computed for the school year 1958-1959 by subtracting from six thousand three hundred dollars (\$6300) an amount to be determined by multiplying the school district valuation per district teaching unit by forty-nine ten thousandths (.0049) and dividing the difference so obtained by six thousand three hundred dollars (\$6300) and for the school year 1959-1960 and for each school year thereafter by subtracting from six thousand nine hundred dollars (\$6900) an amount to be determined by multiplying the school district's valuation per district teaching unit by fifty-four ten thousandths (.0054) and dividing the difference so obtained by six thousand nine hundred dollars (\$6900) The school district's valuation shall be the valuation placed upon its taxable real property by the State Tax Equalization Board."

page 9, line 8, by striking out before the numeral "(6)" the bracket; line 9, by striking out after the word "districts" the word "fraction" and inserting in lieu thereof the word "fractions"; line 13, by striking out after the word "year" the following: "[1955-1956 by subtracting from four thousand nine hundred dollars (\$4900) an amount determined by multiplying the school district's valuation per district teaching unit by four one thousandths (.004) and dividing the difference so obtained by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by subtracting from five thousand three hundred dollars (\$5300) an amount determined by multiplying the school district's valuation per district teaching unit by four one-thousandths (.004) and]"

page 10, by striking out after the word "from" the words and figures "five thousand eight hundred dollars (\$5,800)" and inserting in lieu thereof the words and figures "six thousand two hundred dollars (\$6,200)"; line 7, by striking out after the word "and" the words "three eighths (three-eighths)" and inserting in lieu thereof the words "three-fourths"; line 8, by striking out after the word "thousandths the figures "(.004 $\frac{3}{4}$)"; line 9, by striking out after the word "by" the words and figures "five thousand eight hundred dollars (\$5,800)" and inserting in lieu thereof the following: "six thousand two hundred dollars (\$6200) for the school year 1959-1960 and each school year thereafter by subtracting from five thousand eight hundred dollars (\$5800) an amount determined by multiplying the school districts valuation per district teaching unit by four and three-eighths one-thousandths

(.004%) and dividing the difference so obtained by five thousand eight hundred dollars (\$5800)" page 11, by striking out all of lines 1 to 16, inclusive, as follows: "[In the case of a vocational school district its basic account standard reimbursement fraction shall be computed for the school year 1955-1956 by subtracting from four thousand nine hundred dollars (\$4900) an amount determined by multiplying the valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by subtracting from five thousand three hundred dollars (\$5300) an amount determined by multiplying the valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by five thousand three hundred dollars (\$5300) for the school year 1957-1958 and for each school year thereafter unless changed by act of the General Assembly by subtracting from five thousand eight hundred dollars (\$5800) an amount determined by multiplying the valuation per district teaching unit by three and nine-thirty-seconds one-thousandths (.003 9/32) and dividing the difference so obtained by five thousand eight hundred dollars (\$5800)]" page 11, line 19, by striking out after the word "district" the following words "and each vocational school district"; page 12, line 5, by striking out after the word "district's" the words "vocational school district's"; line 6, by striking out the bracket after the figures "(.004)"; line 7, by striking out the bracket before the word "and"; line 8, by striking out the bracket after the figures "(\$5,000)"; line 9, by striking out after the numeral "(8)" the word "The"; by striking out the bracket before the word "Capital" and by striking out the bracket after the word "Account" and by striking out immediately thereafter the words "Adjusted Standard"; line 11 by striking out the bracket before the word "capital" and by striking out the bracket after the word "account" and by striking out immediately thereafter the words "adjusted standard"; line 13, by striking out the bracket before the word "capital" and by striking out after the word "account" and by striking out immediately thereafter the words "adjusted standard"; and by striking out the bracket before the word "of" on line 13; line 14, by striking out the bracket after the word "district"; line 14, by striking out the bracket before the letter "(i)"; line 18, by striking out the bracket after letters "(ii)"; and by striking out immediately thereafter the words "as follows"; page 13, line 4, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 6, by striking out the bracket before the word "quotient" and by striking out the bracket after the word above; line 7, by striking out at the beginning of the line the words "standard reimbursement fraction"; line 7, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "obtained"; line 8, by striking out the bracket before the word "in" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 9, by striking out the bracket before the word "quotient" and line 10 by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 11, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 12, by striking out the brackets before and after the letters "(iii)"; line 17, by striking out the bracket before the word "quotient" and line 18, by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 20, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "above"; and by striking out immediately thereafter the words "standard reimbursement fraction"; page 13, line 1, by striking out the bracket before the word

"quotient" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 3, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 5, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 7, by striking out the bracket before the word "quotient" and by striking out the bracket after the word "above" and by striking out immediately thereafter the words "standard reimbursement fraction"; line 10, by striking out the bracket before the word "the"; line 12, by striking out the bracket after the word "fraction"; line 16, by striking out the bracket before the word "basic" and by striking out the bracket after the word "Account"; line 16, by striking out the bracket before the part word "Sub"; line 18, by striking out the bracket after the word "Fraction"; line 20, by striking out the bracket before the word "basic" and by striking out the bracket after the word "account"; and by striking out the bracket before the word "the"; page 15, line 2, by striking out the bracket after the word "fraction"; and by striking out after the letter "(i)" the word "divided" and inserting in lieu thereof the word "divide"; line 12, by striking out the bracket before the word "No," and by striking out after the word "district" the words "or vocational school district"; line 15, by striking out the bracket after the word "subsidy"; line 19, by striking out at the beginning of the line the word "withhold" and inserting in lieu thereof the word "withhold"; page 16, line 4, by striking out the brackets before and after the word "Actual" and by striking out immediately thereafter the word "Reimbursable"; line 5, by striking out the brackets before and after the word "Actual" and by striking out immediately thereafter the word "Reimbursable"; line 6, by striking out the brackets before and after the word "Actual" and by striking out immediately thereafter the word "Reimbursable"; line 7, by striking out the brackets before and after the word "Actual" and by striking out immediately thereafter the word "Reimbursable"; line 8, by striking out the brackets before and after the word "Actual" and by striking out immediately thereafter the word "Reimbursable"; line 10, by striking out the brackets before and after the numerals "1958" and by striking out immediately thereafter the numerals "1959"; by striking out the brackets before and after the word "September" and by striking out immediately thereafter the word "December"; line 11, by striking out the brackets before and after the word "September" and by striking out immediately thereafter the word "December"; line 13, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 15, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 19, by striking out the bracket before the part word "act-"; line 20, by striking out the bracket after the part word "-al" and striking out immediately thereafter the word "reimbursable"; page 17, line 2, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 4, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 6, by striking out after the word "educated" the words "at the expense of their district of residence"; line 8, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 9, by striking out after the word "educated" the words "at the expense of their district of residence"; line 11, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 13, by striking out after the word "service" the

words "or for"; line 14 by striking out the brackets before the word "rentals"; line 18, by striking out the bracket after the word "public"; page 18, line 1, by striking out the bracket before the word "school" at the beginning of the line; line 4, by inserting after the word "fund" the words "and social security"; line 12, by striking out at the beginning of the line the word "or"; by striking out the bracket after the word "children" and by inserting immediately thereafter the words "or expenditures financed by admissions fees charges or refunds"; page 19, line 2, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 6, by striking out the bracket before the word "and" and by striking out the bracket after the word "actual" and by striking out immediately thereafter the words "at the expense of their district of residence and reimbursable"; line 10, by striking out at the beginning of the line the words "at the expense of their district of residence"; line 12, by striking out after the word "of" the following: "all pupils except kindergarten who are residents of the school district and" and inserting in lieu thereof the words "district pupils who"; line 16, by striking out after the part word "wealth" the words "at the expense of their district of residence"; line 17, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 18, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; page 20, line 1, by striking out the brackets before and after the word "district" and by striking out immediately thereafter the word "system"; line 2, by striking out after the word "of" the following: "[all pupils who are residents of the school district and]" and by inserting in lieu thereof the words "district pupils who"; line 5, by striking out after the part word "monwealth" the following: "at the expense of their district of residence or of the joint system of which their district is a member"; line 13, by striking out the brackets before and after the word "actual" and by striking out immediately thereafter the word "reimbursable"; line 16, by striking out after the word "the" where it appears the third time the word "total"; line 17, by striking out after the word "of" the words "all pupils who are residents of the school district and"; and inserting in lieu thereof the words "district pupils who"; line 18, by striking out after the word "membership" the words "at the expense of their district of residence"; page 21, line 6, by striking out the brackets before and after the word "such"; line 7, by striking out after the word "the" the word "districts" and inserting in lieu thereof the word "districts"; line 8, by striking out after the part word "cated" the words "at the expense of their district of residence"; by striking out all of line 11 and part of line 12, as follows "regular special homebound driver training and nonadult vocational programs of each"; line 13, by striking out after the word "by" the words "dividing the sums of" and inserting in lieu thereof the word "summing"; line 14, by striking out after the letter "(d)" the word "and"; and by inserting after the letter "(e)" the words "and in the case of districts or joint systems which operate special classes or schools (f)"; line 16, by inserting after the word "below" the words "and dividing said sums"; page 22, line 4, by striking out at the beginning of the line the words "at the expense of their district of residence"; line 14, by striking out the brackets before and after the word "non-reimbursable"; line 15, by striking out at the beginning of the line the word "fares"; line 17, by striking out after the word "attendance" the following: "medical and dental services salaries of dental hygienists and salaries for nurse service other expenses of dental hygienists and nurse service."

page 23, line 6, by inserting at the beginning of the line the word "and" and by inserting after the word "lighting" the word "equipment"; line 7, by striking out at the beginning of the line the words "transportation vehicles"; line 9, by inserting at the beginning of the line

the words "social security" and by striking out immediately thereafter the words "Social Security"; and by striking out after the word "rent" the words "of capital facilities and equipment"; line 10, by striking out after the word "insurance" the words "fidelity bond premiums" and by inserting after line 10 the following: "(f) The sum of (i) an amount equal to the product of 'instruction cost per elementary pupil' as defined in Section 2561 and the average daily membership in the district's or joint system's approved elementary special classes for physically or mentally handicapped children and (ii) an amount equal to the product of 'instruction cost per high school pupil' as defined in Section 2561 and the average daily membership in the districts or joint system's approved secondary special classes for physically or mentally handicapped children"

page 24, line 3, by striking out the following

"From this sum shall be deducted the amount of Commonwealth reimbursements to the district during the year of operation for transportation for board and lodging in lieu of transportation for medical services for nurse service for driver training for non adult vocational education for special education for home bound instruction rental for capital facilities and equipment cost of dental services and for tuition paid school districts or joint school boards."

and by inserting in lieu thereof the following:

"Section 5 Section 2501 of the act amended by adding at the end thereof a new clause to read

"Section 2501 Definitions for the purpose of this article the following terms shall have the following meanings

"* * *

"(12) 'Actual instruction expense per county-operated special class elementary teaching unit and actual instruction expense per county-operated special class secondary teaching unit' for any school district the actual instruction expense for county-operated special class elementary teaching unit shall be the 'tuition charge per elementary pupil' which the school district pays to the Commonwealth as provided in Section 2509.1 of this act multiplied by thirty (30)

"For any school district the actual instruction expense per county-operated special class secondary teaching unit shall be the 'tuition charge per high school pupil' which the school district pays to the Commonwealth as provided in Section 2509.1 of this act multiplied by twenty-two (22)

"In the event that a 'tuition charge per elementary pupil' or 'tuition charge per high school pupil' has not been established the charge fixed by the Superintendent of Public Instruction pursuant to Section 2509.1 and paid by the school district shall for the purposes of this clause be the 'tuition charge per elementary pupil' or 'tuition charge per high school pupil' as the case may be."

page 26, line 1, by striking out after the word "Section" the numeral "2" and inserting in lieu thereof the numeral "6"; and by striking out immediately thereafter the word "Sections" and inserting in lieu thereof the word and figures "Section 2502" and by striking out immediately thereafter the figures "2502.1" and inserting in lieu thereof the following "and Subsection (a) of Section 2503" and by striking out immediately thereafter the following: "(a) 2504.1 and 2510"; line 2, by striking out after the word "act" the words "added or"; line 8, by striking out after the word "secondary" the word "or" and by inserting after the word "school" the following: "county-operated special class elementary or county-operated special class secondary"; line 11, by striking out after the word "of" the word "all" and inserting in lieu thereof the word "district"; line 12, by striking out at the beginning of the line the words "are residents of the district and"; line 13, by striking out after the word "schools" the word "or"; line 14, by striking out at the beginning of the line the word "or"; line 14, by inserting after the word "schools" the following: "or special classes for handicapped children operated by a county board of school directors"; line 17, by inserting after the word "of" the words "equivalent full-time"; line 18, by in-

serting after the word "employed" the following "at the rate of one teaching unit per teacher"; page 27, line 1, by striking out after the word "units" the following: "each based on the number of all pupils who are residents of the district and" and inserting in lieu thereof the word "on account of district pupils"; line 4, by striking out the bracket before the word "by"; page 27, line 15, by striking out after the word "and" the following: "[for the school year 1955-1956 by four thousand nine hundred dollars (\$4,900) for the school year 1956-1957 by five thousand three hundred dollars (\$5300) for the school year 1957-1958 and for each school year thereafter];" line 10, by striking out after the word "by" the words "the district's basic account standard reimbursement fraction and by"; line 12, by inserting after the word "school" the following: "county-operated special class elementary county-operated special class secondary"; line 17, by inserting after the word "or" the following: "for the school year 1958-1959"; and by striking out immediately thereafter the words and figures "five thousand eight hundred dollars (\$5,800) and inserting in lieu thereof the words and figures "six thousand two hundred dollars (\$6,200)"; page 28, line 6, by striking out after the word "of" where it appears the second time, the letters "kindergarten" and inserting in lieu thereof the word "kindergarten"; line 8, by striking out after the word "district" the following: "for the school year 1958-1959 by the lesser of reimbursable instruction expense per elementary secondary joint elementary joint secondary area technical school elementary educated at the expense of their district of residence in the public schools of other districts within the Commonwealth secondary educated at the expense of their district of residence in the public schools of other districts within the Commonwealth teaching unit each as the case may be or six thousand three hundred dollars (\$6300) the sum of the above products less the district's total valuation as placed upon the taxable real property by the State Tax Equalization Board multiplied by forty-nine ten thousandths (.0049) and for the school year 1959-1960 and for each school year thereafter by the lesser of reimbursable instruction expense per elementary secondary joint elementary joint secondary area technical school elementary educated at the expense of their district of residence in the public schools of other districts within the Commonwealth secondary educated at the expense of their district of residence in the public schools of other districts within the Commonwealth teaching unit each as the case may be or six thousand nine hundred dollars (\$6900) the sum of the above products less the district's total valuation as placed upon its taxable real property by the State Tax Equalization Board multiplied by fifty-four ten thousandths (.0054)" and inserting in lieu thereof the following: "or for the school year 1959-1960 and each school year thereafter six thousand two hundred dollars (\$6200) five thousand eight hundred dollars (\$5800)."

page 29, line 12, by striking out at the beginning of the line the word "further"; by striking out the brackets before and after the figures "1957-1958" and by striking out immediately thereafter the figures "1958-1959"; line 13, by striking out after the word "thereafter" the word "additional"; by striking out after the word "units" the following: "shall be based on the numbers of all" and inserting in lieu thereof the words "on account of district"; line 15, by striking out after the word "who" the words "are residents of the district an"; line 16 by striking out after the part word "-bership" at the beginning of the line, the following: "at the expense of their district of residence"; line 18, by striking out after the word "membership" the words "at the expense of their district of residence"; line 19, by striking out after the word "Commonwealth" the words "Further provided that in the case of such pupils teaching units" line 20, by striking out the bracket after the part word "cal"-; page 30, by striking out at the beginning of line 1, the bracket before the part word "-culated"; and by inserting after the word "pupils" the words "other than kindergarten pupils"; line 3, by striking out the bracket after

the word "respectively" and inserting immediately thereafter the following: page 31, by striking out after line 7 the following:

"Section 2502.1 Supplemental Payments The following supplemental payments shall be made to districts of the third and fourth classes and to such other districts as have been approved by the Department of Public Instruction prior to July 1, 1954 that are the district of residence on account of pupils enrolled in elementary schools except kindergarten or high schools operated by joint boards of which the district of residence is a member pupils enrolled in area technical schools in which the district of residence participates and pupils enrolled in schools operated by union or merged districts

"(1) In the case of joint elementary or high schools five hundred dollars (\$500) per teaching unit multiplied by the [subsidiary account] standard reimbursement fraction of the district residence

"(2) In the case of elementary or high schools operated by union or merged districts eight hundred dollars (\$800) per teaching unit multiplied by the district's [subsidiary account] standard reimbursement fraction

"(3) In the case of area technical schools eight hundred dollars (\$800 per teaching unit multiplied by the [subsidiary account] standard reimbursement fraction of the district of residence

"In all cases the supplemental payments specified in the foregoing shall be made only for organizations established and operated in accordance with standards and regulations prescribed by the State Council of Education and approved by the Department of Public Instruction." page 33, line 10, by striking out after the word "pupils" the words "at the expense of the district of residence"; line 11, by striking out after the word "a" the word "public"; line 13, by striking out the brackets before and after the figures "1957-1958" and by striking out immediately thereafter the figures "1958-1959"; line 16, by striking out after the word "such" the word "public"; line 17, by striking out the bracket before the word "subsidiary"; line 18, by striking out the bracket after the word "account" and by striking out immediately thereafter the word "standard"; page 34, by striking out all of lines 1 to 11, inclusive, as follows:

"Section 2504.1 Payments on Account of Standardized Driver Education Programs Every school district complying with the standardized driver-education program established by the department shall be paid by the Commonwealth from the Motor License Fund an amount to be determined by multiplying the number of pupils in average daily membership in standardized driver-education program by the district's [basic account] standard reimbursement fraction [and for the school year 1954-1955 by thirty (\$30) dollars] and for the school year 1955-1956 and for each school year thereafter up to thirty-two (\$32) dollars No school shall receive less than ten (\$10) dollars per pupil in driving training education" and inserting in lieu thereof the following:

"Section 7 Section 2503 of the act is amended by adding after subsection (a) a new subsection to read

"Section 2503 Payments of account of Tuition

"* * *

"(b.1) Each school district regardless of classification sending pupils to a laboratory school operated by a state teacher's college shall be paid by the Commonwealth for the school year 1959-1960 and each school year thereafter an amount to be determined by multiplying the tuition charge per pupil approved by the superintendent of Public Instruction and paid by the school district to the state teachers' college (I) by the number of district pupils in average daily membership in such laboratory school and (II) by the district's basic account standard reimbursement fraction

Section 8 Section 2510 of the act amended July 13 1957 (P. L. 864) is amended to read: page 35, line 15, by striking out after the word "Commonwealth" the following: "[for every school term of the school years prior to the school year 1957-1958 on account of approved extension classes and the instruction of home bound children an amount determined by multiplying

the mandated minimum salaries of instruction employees conducting such classes and instructing home bound children by the district's subsidiary account reimbursement fraction and for the school year 1957-1959 and"]; page 36, line 1, by striking out after the word "year" the word "thereafter"; line 2, by striking out after the word "of" the word "approval" and inserting in lieu thereof the word "approved"; line 7, by striking out the bracket before the word "subsidiary" and by striking out the bracket after the word "account", and by striking out immediately thereafter the word "standard"; by striking out after line 7, the following:

"Section 3 The first paragraph of section 2541 of the act amended June 21, 1957 (P. L. 385) and July 13, 1957 (P. L. 864) is amended to read

"Section 2541 Payments on Account of Pupil Transportation School districts shall be paid by the Commonwealth for every school year on account of pupil transportation which and the means and contracts providing for which have been approved by the Department of Public Instruction in the cases hereinafter enumerated an amount to be determined by multiplying the cost of approved reimbursable pupil transportation incurred by the district by the district [subsidiary account] standard reimbursement fraction In addition thereto the Commonwealth shall pay to school districts which own their own vehicles an annual depreciation charge of ten per centum (10%) to be calculated on the basis of the approved cost at which the district acquired the vehicle for which depreciation is claimed With respect to vehicles purchased prior to January 1 1956 the number of depreciation payments shall be limited to ten such payments With respect to vehicles purchased on or after January 1 1956 the annual depreciation charge shall not exceed seven hundred dollars (\$700) for such vehicles The number of annual depreciation payments shall be limited so that the total amount of such payments shall not exceed the cost of the vehicle as approved by the Department of Public Instruction at the time of the purchase In no case shall the Commonwealth pay in depreciation charges more than ten thousand five hundred dollars (\$10,500) for any one vehicle

"Section 4 Sections 2542 and 2572 of the act amended July 13, 1957 (P. L. 864) are amended to read

"Section 2542 Board and Lodging in Lieu of Transportation In any case where the Commonwealth is required to reimburse any school district on account of pupil transportation and the school district in lieu of such transportation is authorized to and does pay for suitable board and lodging for any pupil the Commonwealth shall pay to the school district an amount to be determined by multiplying the cost of such board and lodging by the districts [subsidiary account] standard reimbursement fraction Provided That in no case shall the Commonwealth's share of the cost exceed one dollar (\$1) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five (5) days in any one week

"Section 2572 State Public School Building Authority and Municipality Authority and Nonprofit Corporation Leases [Heretofore] Approved Prior to March 22 1956

(a) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings or providing educational equipment under the provisions of the State Public School Building Authority Act for every lease or contract entered into or approved by the Superintendent of Public Instruction prior to August 26 1953 and to each school district which shall have entered into a lease approved by the Department of Public Instruction prior to August 26 1953 with a municipality authority or with a non-profit corporation for the rental of a school building or buildings or providing education equipment an amount to be determined by multiplying the school district's [capital account] adjusted standard reimbursement fraction by the annual rental charge as fixed by the State Public School Building Authority or by the annual rental or share thereof provided for under its lease with such municipality authority or non-profit corporation as the case may be

"(b) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings under the provisions of the State Public School Building Authority Act for every lease approved by the Department of Public Instruction on or after August 26 1953 but prior to March 22 1956 and to each school district which shall have entered into a lease approved by the Department of Public Instruction on or after August 26 1953 but prior to March 22 1956 with a municipality authority or with a non-profit corporation for the rental of a school building or buildings an amount to be determined by multiplying the school district's [capital account] adjusted standard reimbursement fraction by that portion of the annual rental charge or share thereof provided for under its lease with the State Public School Building Authority or municipality authority or non-profit corporation as the case may be sufficient during the period of the lease to pay the cost of acquiring or constructing the school buildings the cost of acquiring the land upon which the school buildings are situate and the interest on such cost

"Section 5 Section 2575 of the act amended July 11, 1957 (P. L. 775) and July 13, 1957 (P. L. 864) is amended to read

"Section 2575 Payments on Account of Leases [Hereafter] Approved On or after March 22 1956 and on Account of Sinking Fund Charges on Indebtedness for School Buildings [Hereafter] Thereafter Constructed The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings under the provisions of the Public School Building Authority Act the Municipality Authority Act section 758 of the Public School Code of 1949 or section 791 of the Public School Code of 1949 on account of building for which the lease is approved on or after March 22 1956 or through the incurring of indebtedness by the issuance of general obligation bonds on account of buildings for which the general construction contract is awarded on or after March 22, 1956 an amount to be determined by multiplying the district's [capital account] adjusted standard reimbursement fraction by the approved reimbursable rental or approved reimbursable sinking charge

"Section 6 Section 2575.1 of the act added July 11, 1957 (P. L. 775) is amended to read

"Section 2575.1 Payment on Account of Building Costs The Commonwealth shall pay to any school district making a preliminary payment on account of the approved building construction cost as authorized by clause (5) of section 791 of this act an amount determined by multiplying the district's [capital account] adjusted standard reimbursement fraction by the amount of the payment made by the school district

The payment required by this section shall be made for the year in which the school district made its payment on account of the approved building construction cost

"Section 7 The sum of fifty-five million dollars (\$55,000,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the payment of the reimbursements to school districts in the two years beginning June 1 1950 under the provisions of this act

"Section 8 This act shall take effect the first Monday of July 1959 and shall apply to all Commonwealth payments for the school year 1958-1959 and for each school year thereafter but shall not apply to payments for the school year 1957-1958 The law as it existed before the amendments and repeals made by this act shall continue in force for the purpose of payments for the school year 1957-1958 and for each year prior thereto

page 42, by inserting on line 4 a new section as follows:

"Section 9 This act shall take effect immediately"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HELM IN THE CHAIR

Mr. McCANN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

On the question,

Will the House agree to the motion?

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader, please.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to ask the gentleman why he is asking the House to non-concur in the amendments inserted by the Senate on House Bill 1108.

Mr. McCANN. Mr. Speaker, House Bill 1108 when it passed the House dealt with changing the school subsidy and the payments were for the following year, if I remember correctly. The bill as it passed the House provided for the school districts of the Commonwealth in the amount of \$55 million. House Bill 1108 now provides for an outlay of approximately \$16 million for the previous school year which is payable in the present school term.

It is the wish of our caucus and also myself to non-concur in House Bill 1108, for the bill that left the House did a much different job for the education of the public school system of the Commonwealth than the present proposed legislation.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to further ask the gentleman what he hopes to accomplish by non-concurrence in House Bill 1108?

Mr. McCANN. We hope that non-concurrence, and the Senate, we assume, will insist on their amendments—we do not know—for the purpose of a conference committee to see what that conference committee may be able to produce in the field of legislation, and also what the Senate in that same group would desire to pay for the field of public education.

Mr. A. W. JOHNSON. A further question, Mr. Speaker.

Is it the gentleman's hope and intention that a conference committee will be appointed tonight and will meet and confer and come up with a compromise conference report that can be printed and acted upon before we leave these Halls on this legislative day?

Mr. McCANN. It is my hope that if it is going to a conference committee that the motions are made and the conference committee is appointed. Whether that conference committee can produce a report I cannot say, but this I definitely know, that even if they are able to produce the report, that report surely cannot be completed tonight. I have insisted continually on the highway bill, they could not finish that tonight, how can they finish 1108 tonight?

Mr. A. W. JOHNSON. Mr. Speaker, then does the gentleman have any suggestions to this House as to what he would like to see in House Bill 1108, produced by a conference committee?

Mr. McCANN. I do not have any recommendations to give to the conference committee, except to say that I believe our recommendations for the conferees will certainly be people who are interested in education, as well as finances of the Commonwealth and the school districts, the two we intend to appoint, should we go to the conference committee.

Mr. A. W. JOHNSON. A further question, Mr. Speaker. Do I understand that the gentleman is hoping that a conference committee will come up with a report, maybe yet this evening, one that the Governor could sign, within the realm of revenue available?

Mr. McCANN. Mr. Speaker, I do not hope nor plan at this hour that the conference committee would come up with a report that we would act on here tonight, Friday of this week. If that conference committee is to report to this House and to the Senate, I would hope, then, that they would report Monday, January 4, 1960.

Mr. A. W. JOHNSON. Mr. Speaker, I can see from the interrogation of the Majority Leader that there is definitely in order some dilatory tactics on the other side of the House. They hope tonight to throw this into a conference committee and then not get a report until the 4th of January.

It seems to me that for a stop-gap measure right now as far as the schools are concerned, as the bill has been explained to me, \$16 million would be allocated some time after the first of the year to tide over the school districts this winter.

That would then give us a chance to come back in the '61 session and do a real job on new formulae and new money. In fact, there would then be plenty of money available starting in '61, because there is a \$140 million deficit that we are wiping out by taxes. We could use a portion of those taxes for the schools.

Therefore, in view of the interrogation of the Majority Leader and the innuendo that he is bringing forth here about what he plans to do yet tonight on the bill, I am asking the Members on this side of the House to concur, and therefore, vote "no" on his motion to non-concur.

Mr. TOMPKINS. Mr. Speaker, we ask for a roll call on this bill.

Mr. McCANN. Mr. Speaker, since they have asked for a roll call, would you inform the House which way is an "aye" vote and which way is a "no" vote?

The SPEAKER pro tempore. The Chair will state the question before we take a vote.

Mr. STROUP. Mr. Speaker, I do not intend to dwell long upon this subject, but I would ask attention to my remarks, if I may have that attention.

This is a rather bitter hour, one of great disappointment and complete disillusionment to many, many thousands of our citizens throughout the Commonwealth of Pennsylvania. When one reviews the fact that throughout this entire year the School Administrations Association the Pennsylvania State Education Association, the School Directors Association and the Parent-Teacher' Association and thousands therewith affiliated have worked assiduously and untiringly to try to get us in this Legislature and in this administration to provide additional money desperately needed for our schools, one can but recognize that someplace, somewhere, along the line, we in this House and in the other body and in the Administration have woefully failed in our obligations and in our duties. And we dare not escape the charge that can be leveled against us uniformly.

Now it is extremely difficult for me to conceive that out of a \$2 billion budget, out of \$400 million new moneys, that we cannot find \$55 million to help our public schools.

This is a new low in public education in our Commonwealth, I can only cite with certainty the situation that

exists tonight that in this biennium, due to mandated increases in cost, we shall have spent \$480,000, and if there is no money, we have to go to our people to raise our millage tremendously to find that money. In that fourth class district of mine, it is similar to all the fourth class districts throughout this Commonwealth, so also is the need desperate in Pittsburgh and Philadelphia. Yet, we stand here tonight wondering whether or not we can find \$16 million. We have been told just a short time ago by the Chairman of the Appropriations Committee that there is no \$16 million, that it just cannot be found. Yet, under the circumstances which we face the threat of the resigning of members of our boards of school directors from their positions under the hopeless situations they face, certainly this administration could pass and approve the \$16 million to help the situation right now, so that it might give us some way in the next Session, even in 1960 or by 1961, to work out a plan to take care of education in this Commonwealth in the future.

I said I am not going to belabor the subject or talk too long. I can only say this, we have no wealth in this Commonwealth at all, no wealth at all except the human society which is ours, and if we do not provide the wherewithal to train this human society, then indeed we fail in our democracy. It is our obligation and our bounden duty that Members of this Legislature constitutionally mandate that we take care of this situation.

For that reason, therefore, and with great regret as a co-sponsor on this bill, though it is just a mere pittance to offer, I ask the Members of the House to vote for concurrence on the bill.

Mr. TOMPKINS. Mr. Speaker, we are now at a point where I find it necessary to reiterate what I have said many time during the course of this Session.

When we voted a four percent sales tax at the time we voted for it, we did so with the understanding that there would be \$28 million additional for education in that tax, which was designed to raise a total revenue of \$749.3 million. We now come up to the very purpose for which we cast our vote for that four percent sales tax, and we find that the \$28 million is not there and we are now being told that there is not even \$16 million with which to meet the obligations that we were promised would be there.

I, therefore, ask the Members in this House to vote for concurrence in this bill, at least, for \$16 million.

Mr. ANDREWS. Mr. Speaker, my reason for non-concurring in Senate amendments is that I do not want to close the door of hope, my hope and the hope of a majority, I believe, of the Members of this House, that in time, given thought, given the opportunity, something better can be worked out.

Were we to adjourn sine die tonight, we would have little option except to concur in Senate amendments. But, we are not going to adjourn sine die. We are going to have a considerable period during which to think about these problems, to devise ways and means where we can strengthen the position of those that have been battling in behalf of better appropriations for our public schools. If we go along with the Senate amendments, it ends.

There are some changes that have been made in the bill that do not affect simply money. They have to do with the formula, and I do not believe that the Members of this House, certainly I, have not had the opportunity to

discuss and consider the significance of the changes in the bill that are not concerned with money.

All the Members of the House know that when we leave here tonight we leave to come back on January 4. Then, if it is necessary and if no one has any ideas, if there is no prospect or rearrangement of finances, then we can do what we would be forced to do if we were to adjourn sine die tonight. But, if we do not concur, we give them a period of reprieve and surely, surely, surely during that period of reprieve something better can be done in the way of school legislation than is contained in the document which the Senate has sent us.

And so I hope that the Members of this House will not concur in the Senate amendments, that we will have from now until January 4, a period during which we can all do some sober thinking, and perhaps it is not necessary to slam the door on all the hopes we entertained when we gathered here so long ago.

Mr. A. W. JOHNSON. Mr. Speaker, may I interrogate the gentleman, please?

The SPEAKER pro tempore. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. He is a lawyer.

The SPEAKER pro tempore. He is limited to a layman's question.

Mr. A. W. JOHNSON. Well, Mr. Andrews, your plaintive plea draws iron tears down by cheeks. I will say this in the form of a query.

Suppose we come back here on January 4, there are two legislative days left. There is no tax program out on the Senate calendar. Therefore, there would be no taxes. So we come back here on the 4th with House Bill 1108 and with your admonition from the Governor that he has not got a dime for it, what will we be able to do on reconsideration on January 4 that we cannot do tonight?

Mr. ANDREWS. We might have some ideas about some changes in the structure of this bill that will induce us and the Governor to agree to the changes in the bill, with the understanding that we will proceed in accordance with an agreed upon tax program. It would have to be an agreed-upon matter.

There is a possibility that there will be found somewhere along the line among those who do not want to contribute to the support of the schools a weak link somewhere, and we will have a conference committee in being and a conference committee in action. If it does not amount to anything, it will land us exactly where we are tonight. If we have nothing to produce, if His Excellency, the Governor has nothing to produce, if no single idea has been sparked between now and January 4, we will then be just where we are tonight. We have lost nothing because this bill is not going into effect before January 4.

That is my reason for asking for delay.

Mr. A. W. JOHNSON. Another query, Mr. Speaker: the gentleman is not saying that on January 4 by reason of some recomputations the Governor may be finding some lapsed appropriations, that there will be at least \$16 million available for this bill?

Mr. ANDREWS. I am not satisfied to close the door on all hopes of more than \$16 million, and I will not cease hoping until the gate is closed and the period of thought and contemplation ends. If we do not land on January 4 where we are tonight and if we have nothing to offer, per-

haps we will be as naked of achievement as we are tonight—I hope not—as naked of ideas as we are tonight, as divided in our counsels as we are tonight.

I go along with the gentleman from Bedford. I hope those who have belabored so insistently in the interest of the schools can in some way or other solve this rumble about a few million dollars here, a few million dollars there, and playing politics with the school situation because the Governor did not do this or somebody else did not do that.

I would like to see a new day. I would like to see a conference committee really attack these problems. Perhaps nothing can be done. Then we will have to go to the people and confess our inability to produce in accordance with the needs.

Mr. A. W. JOHNSON. Mr. Speaker, one final question. On January 4, 1960, if we decide here that there should be another \$50 million for the schools, will there be money available without new taxes? Answer yes or no.

Mr. ANDREWS. I would say that if the situation come January 4 is exactly as the situation is tonight and there is no promise and no agreement between the House and the Senate, between the leaders of the House and the Senate, between the Governor and the Members of the House, that nothing of any kind will be done and his budget as arranged stands in all of its present texture, then there will not be the money.

Mr. A. W. JOHNSON. Thank you.

Mr. Speaker, I would like to make just a few further remarks.

I know that the Speaker of the House this morning talked about the headlines in one of the morning papers that the Republican GOP Senate had deprived the schools of \$55 million.

I say that headline was misleading because the state Senate has not deprived the schools of that amount of money. If as was pointed out here today repeatedly, there is not \$55 million anywhere around to be spent for the schools, I do not see how the Senate could have deprived the schools of one cent.

Why did the Senate come up with a \$16 million bill? They felt, with a letter that was sent out by the State Treasurer that he thought there would be about \$100 million more money coming in during this biennium than estimated and they had figured from the Joint State Government Commission there was about \$32 million or \$33 million more money—and I am sure there are other agencies in Pennsylvania that would come up with estimates—there is more money in the present taxes on the books. So the Senate felt \$16 million was a realistic sum of money that could conceivably be eked out of the huge tax program that we have on our books at the present time.

The four percent sales tax as was pointed out here, in all its many ramifications on your electric light bill, on laundry and dry cleaning bills and the way you extended it to all the numerous items, such as whiskey and everything, they are estimating about \$749 million and with this huge business for Christmas that we are having, the Senate felt that there ought to be at least \$16 million that we could give the schools now, after the 1st of the year sometime, to tide them over during the 1959-1960 year. I grant you that it probably is not enough money for

them. It is not \$55 million, I grant you, but it is a sum of money that we could say, here you are. It will help you until we come back in 1961 when we have \$140 million in taxes that are lapsing. Because of a deficit having been funded, there would be \$140 million available that we can give to you right away.

That was the thinking behind what the Senate did. It was not that they wanted to deprive and cripple the schools and short-change them \$50-some million from money which the Governor says is not in the budget.

Therefore, it seems to me that here we are tonight, before we go home for Christmas, a nice little Christmas present we could give the school directors up through the hinterlands of Pennsylvania which would be a nice \$16 million present. We could very well concur in these amendments and put this on the Governor's desk. I am sure that the Majority Leader with his great smile could put on a Santa Claus suit and go to the Governor, and I believe that the Governor could conscientiously and rightfully sign the bill.

I know you say that the corporate net income tax will only bring in \$315 million, not \$330 million as others say it will. All right, I think the Governor could stretch a point just a little, sign this bill and give the money to the school districts.

Therefore, I say tonight, while we have the opportunity let us concur in these amendments by the Senate. It is about the best thing we are going to be able to do this Session.

Let me tell you something: It is questionable as to whether in the 1960 Session you are going to be able to write a new formula for the schools. I grant you, you will probably appropriate \$50 million, but what will your formula be? That would be enacting a new law. I think we would be very, very much behind the eight ball if we do not do something right now.

On the 4th of January I am sure the Governor's office will not have any more money than they have tonight. So I am pleading with all of you, let us vote to concur in this bill and vote this money for our schools.

The SPEAKER pro tempore. So the Members will know how they are voting, those voting "aye" vote to concur; Those voting "no" vote to non-concur.

Mr. McCANN. It was absolutely clear to me, the information that you gave me is correct. Will you please repeat it? Those voting "aye" vote to concur. Those voting "no" are supporting the decision that we have taken on Bill 1108. We are trying to get the point clear, Mr. Speaker.

The SPEAKER pro tempore. For the information of the House the question that arises on any amended bill is "Will the House concur in the amendments." Those voting "aye" vote to concur; those voting "no" vote to non-concur in the amendments.

Mr. McCANN. So that here at the last minute we all get a little educating. I got some a few minutes ago, there is no such thing as a motion to non-concur in a rightful sense. A motion to concur is the only motion.

The SPEAKER pro tempore. The gentleman is partly correct except that a roll call is requested and the question must be put as it is now. When you make a motion to non-concur it is only an "aye" and "nay" voice vote.

So that there is no misunderstanding the Chair will once again repeat the question, those voting "aye" vote

to concur in the amendments from the Senate. Those voting "no" vote not to concur in the amendments from the Senate.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—56

| | | | |
|------------|-----------------|----------------|-----------------------|
| Ashton, | Guthrie, | Kooker, | Steckel, |
| Barton, | Helm, | Korns, | Stewart, |
| Bell, | Henzel, | Lee, A. M., | Stimmel, |
| Bower, | Hocker, | Lee, K. B., | Stroup, |
| Buchanan, | Holliday, | McCandless, | Thompson, |
| Davis, | Horst, | Mahan, | Tompkins, |
| Dengler, | Isaacs, | Markley, | Ujohal, |
| Dennison, | Johnson, A. W., | Miller, B. Z., | Wall, |
| Edwards, | Johnson, R., | Murray, H. P. | Wescott, |
| Eshback, | Kee, | Odorisio, | Williams, A. D., Jr., |
| Eshleman, | Kelser, | Ogilvie, | Williams, E. S., |
| Fetterolf, | Kernaghan, | Price, | Wood, |
| Fulmer, | Kessler, | Pursley, | Worley, |
| Gramlich, | Knecht, | Royer, | Wynd, |

NAYS—94

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Galley, | Mihm, | Sakulsky, |
| Arlene, | Gallagher, | Mills, | Scarcelll, |
| Balthaser, | Garlock, | Muldowney, | Schaaf, |
| Bonner, | Gelfand, | Mullen, | Schuster, |
| Branca, | Goldstein, M. H., | Munley, | Schwartz, |
| Breth, | Hamilton, | Murray, J. J., | Sherman, |
| Capano, | Heavey, | Musto, | Shupnik, |
| Capitolo, | Holt, | Needham, | Silverman, |
| Cianfrani, | Irvls, | Nelson, | Snider, |
| Cioffi, | Jim, | O'Donnell, J. P., | Stank, |
| Clarke, | Jones, F. R., | O'Neill, | Stone, |
| Comer, | Kamyk, | Parlante, | Sullivan, |
| Curwood, | Kornick, | Pashley, | Taylor, |
| Dennis, | Lamb, | Perry, H. H., | Varallo, |
| Devlin, | Leonard, | Perry, P. E., | Verona, |
| Dougherty, | Limper, | Petrosky, | Walsh, |
| Elberg, | Lopresti, | Polaski, | Wargo, |
| Farabaugh, | Luigard, | Polen, | Welsh, |
| Filo, | Lutty, | Reibman, | Wheeler, |
| Fineman, | McCann, | Renwick, | Yatron, |
| Floyd, | McCormack, | Rigby, | Yetter, |
| Flynn, | McDonald, | Riley, | |
| Foerster, | McLaughlin, | Rovansek, | |
| Frascella, | Meholchick, | Rudisill, | |

NOT VOTING—60

| | | | |
|-------------|-------------------|---------------------|--------------|
| Agnew, | Fox, | McInroy, | Prendergast, |
| Auker, | Frank, | McKeever, | Reidenbach, |
| Blair, | George, | Machmer, | Seltzer, |
| Boles, | Gibb, | Magee, | Snare, |
| Boris, | Goldstein, J. H., | Maxwell, | Stevens, |
| Bowman, | Goodrich, | Merry, | Stoner, |
| Brenninger, | Haudenshield, | Miller, H. G., | Strausser, |
| Brown, | Heffner, | Monroe, | Trusio, |
| Burns, | Jenkins, | Moran, | Varner, |
| Cooper, | Jones, T. H. W., | Murphy, A. J., Jr., | Weidner, |
| Crossin, | Jump, | Murphy, P. J., | Whittaker, |
| Donahue, | Kovolenko, | Murray, P. G., | Willard, |
| Donaldson, | Kubitsky, | Naugle, | Willaredt, |
| Down, | Light, | O'Dell, | Wilt, |
| Ewing, | Lippincott, | O'Donnell, J. A., | Zimmerman, |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REASONS FOR VOTE

Mr. DAVIS filed the following reasons for his vote on House Bill No. 1108.

I wish to file my reasons for voting for the concurrence motion concerning the Senate's amendments to House Bill No. 1108.

My vote is primarily a protest vote. I have already gone on record as believing that the state school subsidies under House Bill No. 1108 should be adequate, and that they should be raised by a broad-base tax measure, something along the lines of Representative Strausser's three percent sales tax on clothing.

Such counties as my own Forest County are already paying close to, if not beyond, their taxing potentialities in support of our local schools.

Clearly, we need higher state subsidies in such counties as mine, if our schools are to continue at an acceptable level, along the lines defined by Dr. Conant in his recently issued book "The American High School Today" as a comprehensive high school.

In other words, the principle of equalization is at stake. House Bill No. 1108 was designed to restore equalization to the low-taxing potential communities. But it must have financial sinew to be effective.

The Administration apparently has not seen fit to look favorably upon the movement of adequate tax raising legislation through the House—legislation which would squarely underwrite the costs of a version of House Bill No. 1108 which would realistically meet the equalization needs of areas like my own Forest County.

Accordingly, I am voting "aye" as a protest against the lack of interest in meeting the equalization problem by an adequately conceived, broadbase tax.

REASONS FOR VOTE

Mr. A. D. WILLIAMS filed the following reasons for his vote on House Bill 1108:

I wish that we had been able to supply the school districts of Pennsylvania with an additional \$55 to \$70 million in state subsidies. Apparently it is needed.

However no fair plan to raise this amount of money was ever proposed by the Democratic leadership. In fact, Governor Lawrence had not one red cent in his budget for additional aid to the schools of Pennsylvania!

We are now reliably informed that the yield from present taxes should be enough to distribute \$16 million to our school districts. I hope so and therefore must vote "Aye" so that these funds can be paid to our school districts in the 1959-1960 school year.

Obviously the time is long past when the entire system of school subsidies must be intelligently studied to determine a long range answer.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

HOUSE CONCURRENT RESOLUTION RECALLING
HOUSE BILL No. 2423 FROM GOVERNOR.

Commonwealth of Pennsylvania

Governor's Office, Harrisburg, December 18, 1959.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2423, Printer's No. 2068, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council INC Boy Scouts of America.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|--------------------|---------------------|
| Anderson, | Gallagher, | McCann, | Rudisill, |
| Arlene, | Garlock, | McCandless, | Sakulsky, |
| Ashton, | Gelfand, | McCormack, | Scarcelli, |
| Balthaser, | Goldstein, M. H., | McDonald, | Schaaf, |
| Barton, | Goodrich, | McLaughlin, | Schuster, |
| Bell, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Mahan, | Seltzer, |
| Boris, | Hamilton, | Markley, | Sherman, |
| Bower, | Heavey, | Meholchick, | Shupnik, |
| Bowman, | Heffner, | Mihm, | Silverman, |
| Branca, | Helm, | Miller, B. Z., | Snider, |
| Breth, | Henzel, | Miller, H. G., | Stank, |
| Brown, | Hocker, | Mills, | Steckel, |
| Buchanan, | Holliday, | Muldowney, | Stewart, |
| Capano, | Holt, | Mullen, | Stimmel, |
| Capitolo, | Horst, | Munley, | Stone, |
| Cianfrani, | Irvis, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Isaacs, | Murray, H. P., | Stroup, |
| Clarke, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kee, | Odorisio, | Ujobal, |
| Dennison, | Kelser, | Ogilvie, | Varallo, |
| Devlin, | Kernaghan, | O'Neill, | Varner, |
| Dougherty, | Kessler, | Parlante, | Verona, |
| Edwards, | Knecht, | Pashley, | Wall, |
| Ellberg, | Kooker, | Perry, H. H., | Walsh, |
| Eshback, | Kornick, | Perry, P. E., | Wargo, |
| Eshleman, | Korns, | Petrosky, | Welsh, |
| Farabaugh, | Kovolenko, | Polaski, | Wescott, |
| Fetterolf, | Kubitsky, | Polen, | Wheeler, |
| Filo, | Lamb, | Prendergast, | Williams, A.D. Jr., |
| Fineman, | Lee, A. M., | Price, | Williams, E. S., |
| Floyd, | Lee, K. B., | Pursley, | Wood, |
| Flynn, | Leonard, | Reibman, | Worley, |
| Foerster, | Light, | Renwick, | Wynd, |
| Frank, | Limper, | Rigby, | Yatron, |
| Frascella, | Lopresti, | Riley, | Yetter, |
| Fulmer, | Luigard, | Rovansek, | Andrews, |
| Galley, | Lutty, | Royer, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenshield, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1980, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code" further regulating the marking and counting of ballots.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

| | | | |
|------------|-------------------|--------------------|---------------------|
| Anderson, | Gallagher, | McCandless, | Rudisill, |
| Arlene, | Garlock, | McCann, | Sakulsky, |
| Ashton, | Gelfand, | McCormack, | Scarcelli, |
| Balthaser, | Goldstein, M. H., | McDonald, | Schaaf, |
| Barton, | Goodrich, | McLaughlin, | Schuster, |
| Bell, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Mahan, | Seltzer, |
| Boris, | Hamilton, | Markley, | Sherman, |
| Bower, | Heavey, | Meholchick, | Shupnik, |
| Bowman, | Heffner, | Mihm, | Silverman, |
| Branca, | Helm, | Miller, B. Z., | Snider, |
| Breth, | Henzel, | Miller, H. G., | Stank, |
| Brown, | Hocker, | Mills, | Steckel, |
| Buchanan, | Holliday, | Muldowney, | Stewart, |
| Capano, | Holt, | Mullen, | Stimmel, |
| Capitolo, | Horst, | Munley, | Stone, |
| Cianfrani, | Irvis, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Isaacs, | Murray, H. P. | Stroup, |
| Clarke, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kee, | Odorisio, | Ujobal, |
| Dennison, | Kelser, | Ogilvie, | Varallo, |
| Devlin, | Kernaghan, | O'Neill, | Varner, |
| Dougherty, | Kessler, | Parlante, | Verona, |
| Edwards, | Knecht, | Pashley, | Wall, |
| Ellberg, | Kooker, | Perry, H. H., | Walsh, |
| Eshback, | Kornick, | Perry, P. E., | Wargo, |
| Eshleman, | Korns, | Petrosky, | Welsh, |
| Farabaugh, | Kovolenko, | Polaski, | Wescott, |
| Fetterolf, | Kubitsky, | Polen, | Wheeler, |
| Filo, | Lamb, | Prendergast, | Williams, A.D. Jr., |
| Fineman, | Lee, A. M., | Price, | Williams, E. S., |
| Floyd, | Lee, K. B., | Pursley, | Wood, |
| Flynn, | Leonard, | Renwick, | Worley, |
| Foerster, | Light, | Rigby, | Wynd, |
| Frank, | Limper, | Riley, | Yatron, |
| Frascella, | Lopresti, | Rovansek, | Yetter, |
| Fulmer, | Luigard, | Royer, | Andrews, |
| Galley, | Lutty, | | Speaker |

NAYS—1

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenshield, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constiution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, in view of the fact that you are not going to have a conference report on 1108, or 2459, and they are real mighty important things, cannot you not cut the business of the day down to a trickle and let the Members get their dinners and come back here, or leave a lot of stuff for January 4. As long as, apparently, January 4 is going to be such an important day, maybe we can forget a lot of these things you are working on.

Mr. McCANN. I don't think so, Mr. Speaker. We have the sheet that shows 648, 853, 2118, the motion on 2459, 1043 and the motion on 1057. That is all we have, period. I think that is correct.

Mr. A. W. JOHNSON. All right. Let us get right through with it. These Members want to go out and get a bite to eat.

Mr. McCANN. I sure do. I have not eaten since 7:30 this morning.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 2459, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof tunnels bridges viaducts and approaches thereto in counties and certain streets in cities of the first class and certain streets in cities of the second class second class A and third class and certain township roads and certain streets in boroughs and incorporated towns authorizing under certain terms and conditions their construction maintenance repair reconstruction and improvement by the Commonwealth conferring certain powers upon Department of Highways and local authorities persons associations and corporations for sharing of the cost of the maintenance and construction of such highways.

And has appointed Messrs. Wade, Kessler and Ripp a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2459

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. COMER, LOPRESTI, and H. P. MURRAY.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 648.

An Act amending the act of May 2, 1929 (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 2, line 18, by striking out the brackets before and after the word "or" where it appears the second time, and inserting immediately thereafter the word "the"; line 19 by striking out at the beginning of the line the word "the"; page 3, line 5, by striking out after the word "jurisdiction" the word "shall" and inserting in lieu thereof the word "may"; page 4, line 11, by striking out after the word "pleas" the word "shall" and inserting in lieu thereof the word "may"; page 5, line 11, by striking out after the word "but" the word "shall" and inserting in lieu thereof the word "may"; line 19, by striking out after the word "County" the word "shall" and inserting in lieu thereof the word "may"; page 6, line 17, by striking out after the word "but" the word "shall" and inserting in lieu thereof the word "may";

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

| | | | |
|------------|-----------------|--------------------|-----------------------|
| Anderson, | Garlock, | McCann, | Sakulsky, |
| Arlene, | Gelfand, | McCormack, | Scarcelli, |
| Ashton, | Goodrich, | McDonald, | Schaaf, |
| Balthaser, | Gramlich, | McLaughlin, | Schuster, |
| Barton, | Guthrie, | Machmer, | Schwartz, |
| Bonner, | Hamilton, | Mahan, | Seltzer, |
| Boris, | Heavey, | Markley, | Sherman, |
| Bower, | Heffner, | Meholchick, | Shupnik, |
| Bowman, | Helm, | Mihm, | Silverman, |
| Branca, | Henzel, | Miller, B. Z., | Snider, |
| Breth, | Hocker, | Miller, H. G., | Stank, |
| Brown, | Holliday, | Mills, | Steckel, |
| Buchanan, | Holt, | Muldowney, | Stewart, |
| Capano, | Horst, | Mullen, | Stimmel, |
| Capitolo, | Irvis, | Munley, | Stone, |
| Cianfrani, | Isaacs, | Murphy, A. J., Jr. | Stoner, |
| Clof, | Jim, | Murray, H. P., | Stroup, |
| Clarke, | Johnson, A. W., | Murray, J. J., | Sullivan, |
| Comer, | Johnson, R., | Musto, | Taylor, |
| Curwood, | Jones, F. R., | Needham, | Thompson, |
| Davis, | Kamyk, | Nelson, | Tompkins, |
| Dengler, | Kee, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kelser, | Odorisio, | Ujobal, |
| Dennison, | Kernaghan, | Ogilvie, | Varallo, |
| Devlin, | Kessler, | O'Neil, | Varner, |
| Dougherty, | Knecht, | Parlante, | Verona, |
| Edwarda, | Kooker, | Pashley, | Wall, |
| Ellberg, | Kornick, | Perry, H. H., | Walsh, |
| Eshback, | Korns, | Perry, P. E., | Wargo, |
| Ehleman, | Kovolenko, | Petrosky, | Weish, |
| Farabaugh, | Kubitsky, | Polaski, | Wescott, |
| Fetterolf, | Lamb, | Polen, | Wheeler, |
| Filo, | Lee, A. M., | Prendergast, | Williams, E. S., |
| Fineman, | Lee, K. B., | Price, | Williams, A. D., Jr., |
| Floyd, | Leonard, | Pursley, | Wood, |
| Flynn, | Light, | Renwick, | Worley, |
| Forster, | Limper, | Rigby, | Wynd, |

Frank,
Frascella,
Fulmer,
Galley,
Gallagher,

Lopresti,
Luigard,
Lutty,
McCandless,

Riley,
Rovanseck,
Royer,
Rudisill,

Yatron,
Yetter,

Andrews,
Speaker

NAYS—3

Bell,

Goldstein, M. H., Reibman,

NOT VOTING—43

Agnew,
Auker,
Blair,
Boles,
Brenninger,
Burns,
Cooper,
Crossin,
Donahue,
Donaldson,
Down,

Ewing,
Fox,
George,
Gibb,
Goldstein, J. H.,
Haudenshield,
Jenkins,
Jones, T. H. W.,
Jump,
Lippincott,
McInroy,

McKeever,
Magee,
Maxwell,
Merry,
Monroe,
Moran,
Murphy, P. J.,
Murray, P. G.,
Naugle,
O'Dell,
O'Donnell, J. A.,

Reldenbach,
Snare,
Stevens,
Strausser,
Weidner,
Whittaker,
Willard,
Willaredt,
Wilt,
Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 853.

An Act amending the act of March 10, 1949 (P. L. 30) entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto' changing provisions relating to the approval of projects for reimbursement purposes and authorizing semi-annual payments

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 6, by striking out after the word "and" the words "the determination of reimbursement amounts and"; Section 1, page 2, line 1, by striking out the following:

"Section 1 Subsection (a) of section 2577 Section 2574 act of March 10 1949 (P. L. 30) known as the 'Public School Code of 1949' amended July 11, 1957 (P. L. 775) is amended to read added March 22, 1956 (P. L. 1315) is amended by adding at the end therefore a new subsection to read

"Section 2574 approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness

"(E) In calculating the rated pupil capacity for elementary buildings the department shall exclude from its consideration the square feet contained in the music practice room and instrument storage" and the "multi-purpose room assembly play cafeteria"

"Section 2, page 2, line 16, by striking out after the word "Section" the figure "2" and inserting in lieu thereof the figure "1"; page 2, line 17 by striking out after the figure "2578" the words "of the" and inserting in lieu thereof the words "Act of March 10, 1949 (P. L. 30) known as the Public School Code of 1949"; page 3, line 18, by inserting after the figures "1959-1960" the word "and"; page 3, line 19, by striking out after the

figures "1960-1961" the word "and"; page 3, line 19, by striking out after the figures "1960-1961" the words 'and one billion four hundred million dollars (\$1,400,000,000) during the school year 1961-1962'; page 4, by inserting after line 3 the following:

"* * * *

"Section 2578 Payments (A) payments to a school district shall be determined and approved by the department of public instruction the amount so approved shall be included in and be payable from any future appropriations made to the department of public instruction payments to school districts shall be made semi-annually where the districts lease agreement specifies that lease payments shall be paid semi-annually

"Section 3, page 4, line 15, by striking out after the word "Section" the figure "3" and inserting in lieu thereof the figure "2".

This act shall take effect immediately

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

Anderson,
Arlene,
Ashton,
Balthaser,
Barton,
Bell,
Bonner,
Boris,
Bower,
Bowman,
Branca,
Breth,
Brown,
Buchanan,
Capano,
Capitolo,
Clanfrant,
Cioffi,
Clarke,
Comer,
Curwood,
Davis,
Dangler,
Dennis,
Dennison,
Devlin,
Dougherty,
Edwards,
Ellberg,
Eshback,
Eshleman,
Farabaugh,
Fetterolf,
Fllo,
Fineman,
Floyd,
Flynn,
Foerster,
Frank,
Frascella,
Fulmer,
Galley,

Gallagher,
Garlock,
Gelfand,
Goldstein, M. H.,
Goodrich,
Gramlich,
Guthrie,
Hamilton,
Heavey,
Heffner,
Helm,
Henzel,
Hocker,
Holliday,
Holt,
Horst,
Irvis,
Isaacs,
Jim,
Johnson, A. W.,
Johnson, R.,
Jones, F. R.,
Kamyk,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Kornick,
Korns,
Kovolenko,
Kubitaky,
Lamb,
Lee, A. M.,
Lee, K. B.,
Leonard,
Light,
Limper,
Lopresti,
Luigard,
Lutty,

McCandless,
McCann,
McCormack,
McDonald,
McLaughlin,
Machmer,
Mahan,
Markley,
Meholchick,
Mihm,
Miller, B. Z.,
Miller, H. G.,
Mills,
Muldowney,
Mullen,
Munley,
Murphy, A. J., Jr.,
Murray, H. P.,
Murray, J. J.,
Musto,
Needham,
Nelson,
O'Donnell, J. P.,
Odorisio,
Ogilvie,
O'Neill,
Parlante,
Pashley,
Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Price,
Pursley,
Reibman,
Renwick,
Rigby,
Riley,
Rovanseck,
Royer,

Rudisill,
Sakulsky,
Scarcell,
Schaaf,
Schuster,
Schwartz,
Seltzer,
Sherman,
Shupnik,
Silverman,
Snider,
Stank,
Steckel,
Stewart,
Stimmel,
Stone,
Stoner,
Stroup,
Sullivan,
Taylor,
Thompson,
Tompkins,
Trusio,
Ujbal,
Varallo,
Varner,
Verona,
Wall,
Walsh,
Wargo,
Welsh,
Wescott,
Wheeler,
Williams, A. D., Jr.,
Williams, E. S.,
Wood,
Worley,
Wynd,
Yatron,
Yetter,
Andrews,
Speaker

NAYS—0

NOT VOTING—43

Agnew,
Auker,
Blair,
Boles,
Brenninger,
Burns,
Cooper,
Crossin,
Donahue,
Donaldson,
Down,

Ewing,
Fox,
George,
Gibb,
Goldstein, J. H.,
Haudenshield,
Jenkins,
Jones, T. H. W.,
Jump,
Lippincott,
McInroy,

McKeever,
Magee,
Maxwell,
Merry,
Monroe,
Moran,
Murphy, P. J.,
Murray, P. G.,
Naugle,
O'Dell,
O'Donnell, J. A.,

Reldenbach,
Snare,
Stevens,
Strausser,
Weidner,
Whittaker,
Willard,
Willaredt,
Wilt,
Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2118.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" changing or deleting certain routes and adding certain new routes

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, line 4, by striking out lines 4 to 8, inclusive, as follows:

"Lake City Borough

"[Route 25119 extending Route 25119 beginning at a point on the Girard Borough line thence over Lake Street to an intersection with Routes 25019 and 25020 at Lake and Depot Streets in the Borough of Lake City Erie County a distance of about 0.5 of a mile]"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—167

| | | | |
|------------|-------------------|--------------------|------------|
| Anderson, | Gallagher, | McCandless, | Rudisill, |
| Arlene, | Garlock, | McCann, | Sakulsky, |
| Ashton, | Gelfand, | McCormack, | Scarcell, |
| Balthaser, | Goldstein, M. H., | McDonald, | Schaa, |
| Barton, | Goodrich, | McLaughlin, | Schuster, |
| Bell, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Mahan, | Seltzer, |
| Boris, | Hamilton, | Markley, | Sherman, |
| Bower, | Heavey, | Meholchick, | Shupnik, |
| Bowman, | Heffner, | Mihm, | Silverman, |
| Branca, | Helm, | Miller, B. Z., | Snider, |
| Breth, | Henzel, | Miller, H. G., | Stank, |
| Brown, | Hocker, | Mills, | Steckel, |
| Buchanan, | Holliday, | Muldowney, | Stewart, |
| Capano, | Holt, | Mullen, | Stimmel, |
| Capitolo, | Horst, | Munley, | Stone, |
| Cianfrani, | Irviss, | Murphy, A. J., Jr. | Stoner, |
| Cloffi, | Isaacs, | Murray, H. P., | Stroup, |
| Clarke, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kee, | Odorisio, | Ujobal, |
| Dennison, | Kelser, | Ogilvie, | Vallo, |
| Devlin, | Kernaghan, | O'Neil, | Varnier, |
| Dougherty, | Kessler, | Parlante, | Verona, |
| Edwards, | Knecht, | Pashley, | Wall, |
| Ellberg, | Kooker, | Perry, H. H., | Walsh, |
| Eshback, | Kornick, | Perry, P. E., | Wargo, |
| Eshleman, | Korna, | Petrosky, | Welsh, |
| Farabaugh, | Kovolenko, | Polaski, | Wescott, |
| Fetterolf, | Kubitsky, | Polen, | Wheeler, |

| | | | |
|------------|-------------|--------------|-----------------------|
| Filo, | Lamb, | Prendergast, | Williams, A. D., Jr., |
| Fineman, | Lee, A. M., | Price, | Williams, E. S., |
| Floyd, | Lee, K. B., | Pursley, | Wood, |
| Flynn, | Leonard, | Reibman, | Worley, |
| Foerster, | Light, | Renwick, | Wynd, |
| Frank, | Limper, | Rigby, | Yatron, |
| Frascella, | Lopresti, | Riley, | Yetter, |
| Fulmer, | Luigard, | Rovansek, | Andrews, |
| Galley, | Lutty, | Royer, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenshield, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1057.

An Act amending the act of May 2, 1929 (P. L. 1513) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" clarifying certain provisions and eliminating certain exemptions from the act and increasing the fee for certificates for boilers and unfired pressure vessels

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 7, by striking out after the word "provisions" the words "deleting certain definitions"; amend section 2, page 2, line 8, by striking out the following:

"Section 2 Clause (5) of section 1 of the act added July 12, 1957 (P. L. 822) is amended to read

"Section 1 Definition be it enacted &c as used in this act

"(5) 'Establishment' shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of business to which the public has access except [farms or] private dwellings page 3, lien 2, by striking out after the word 'Section' the figure '3' and inserting in lieu thereof the figure '2'; line 4, by striking out after the word 'Section' the figure '4' and inserting in lieu thereof the figure '3'; page 4, line 9, by striking out after the word 'Section' the figure '5' and inserting in lieu thereof the figure '4'; page 5, line 3, by striking out after the

word "Section" the figure "6" and inserting in lieu thereof the figure "6"; line 5, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "6"; page 7, line 9, by inserting the following:

"Section 7 Section 9 of the act amended July 12, 1957 (P. L. 822) is amended to read

"Section 9 Issuance of certificates of operation every inspector shall forward to the department a full report of each and every inspection made of any boiler or unfired pressure vessel showing the exact condition of the said boiler or unfired pressure vessel if this report indicates that the said boiler or unfired pressure vessel is in a safe condition to be operated the department shall upon payment of the fee required in section 11 of this act issue a certificate of operation for a pressure not to exceed that named in the said report of inspection which certificate in the case of boilers shall be valid for thirteen months after the date of inspection in the case of unfired pressure vessels [containing noncorrosive substances and which are buried underground] an annual certificate may be issued on the basis of [a special] such type of inspection as required by the rules and regulations of the Department no boiler or unfired pressure vessel may be lawfully operated without having such certificate conspicuously posted in the boiler room or adjacent to such boiler or unfired pressure vessel

On the Question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—163

| | | | |
|------------|-------------------|--------------------|----------------------|
| Anderson, | Gallagher, | McCandless, | Rudisill, |
| Arlene, | Garlock, | McCann, | Sakulsky, |
| Ashton, | Gelfand, | McCormack, | Scarcelli, |
| Balthaser, | Goldstein, M. H., | McDonald, | Schaaf, |
| Barton, | Goodrich, | McLaughlin, | Schuster, |
| Bell, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Mahan, | Seltzer, |
| Boris, | Hamilton, | Markley, | Sherman, |
| Bower, | Heavey, | Meholchick, | Shupnik, |
| Bowman, | Heffner, | Mihm, | Silverman, |
| Branca, | Heim, | Miller, B. Z., | Snider, |
| Breth, | Henzel, | Miller, H. G., | Stank, |
| Brown, | Hocker, | Mills, | Steckel, |
| Buchanan, | Holliday, | Muldowney, | Stewart, |
| Capano, | Holt, | Mullen, | Stimmel, |
| Capitolo, | Horst, | Munley, | Stone, |
| Cianfrani, | Irvis, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Isaacs, | Murray, H. P., | Stroup, |
| Clarke, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwoc'i, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kee, | Odorisio, | Ujobai, |
| Dennison, | Kelser, | O'Neil, | Varallo, |
| Devlin, | Kernaghan, | Parlante, | Varnier, |
| Dougherty, | Kessler, | Pashley, | Verona, |
| Ellberg, | Knecht, | Perry, H. H., | Wall, |
| Eshback, | Kooker, | Perry, P. E., | Walsh, |
| Eshleman, | Kornick, | Petrosky, | Wargo, |
| Farabaugh, | Kovolenko, | Polaski, | Welsh, |
| Fetterolf, | Kubitsky, | Polen, | Wescott, |
| Flo, | Lamb, | Prendergast, | Wheeler, |
| Fineman, | Lee, A. M., | Price, | Williams, A.D., Jr., |
| Floyd, | Lee, K. B., | Pursley, | Williams, E. S., |
| Flynn, | Leonard, | Rebman, | Wood, |
| Foerster, | Light, | Renwick, | Wynd, |
| Frank, | Limper, | Rigby, | Yatron, |
| Frascella, | Lopresti, | Riley, | Yetter, |
| Fulmer, | Lulgard, | Rovansek, | Andrews, |
| Galley, | Lutty, | Royer, | Speaker |

NAYS—4

| | | | |
|----------|--------|----------|---------|
| Edwards, | Korns, | Ogilvie, | Worley, |
|----------|--------|----------|---------|

NOT VOTING—43

| | | | |
|--------|--------|-----------|-------------|
| Agnew, | Ewing, | McKeever, | Reidenbach, |
|--------|--------|-----------|-------------|

| | | | |
|-------------|-------------------|-------------------|------------|
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenschild, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1043

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on Senate Bill No. 1043.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 1043, entitled: An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers to report proceedings in the several courts of common pleas and ophans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers are employed and when the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" further providing for the giving of copies of notes of testimony in criminal cases.

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER,
WILLIAM Z. SCOTT,
PAUL W. MAHADY,
(Committee on the part of the Senate)

HAROLD B. RUDISILL,
K. LEROY IRVIS,
MAURICE H. GOLDSTEIN,
(Committee on the part of the House of Representatives.)

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and or-

phans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revive any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" further providing for the giving of copies of notes of testimony in criminal cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 2 act of May 1, 1907 (P. L. 135) entitled "As act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers prescribing their powers and duties and when such reports shall be evidence of the facts reported prescribing their compensation and allowances for expenses when the same shall be paid by the county wherein such stenographers or assistant stenographers are employed and when by the parties to such proceedings and repealing an act entitled 'An act directing the appointment of official stenographers in the several civil courts of this Commonwealth authorizing the appointment of stenographers by examiners masters referees commissioners and auditors authorizing the appointment of assistant stenographers repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May fifteenth one thousand eight hundred and seventy-four repealing 'An act to authorize the appointment of stenographers in the several courts of this Commonwealth prescribing their duties and fixing their compensation' approved May eighth one thousand eight hundred and seventy-six and repealing 'An act defining the duty of court stenographers in the several counties in this State' approved June tenth one thousand eight hundred and eighty-one' approved the twenty-fourth day of May one thousand eight hundred and eighty-seven but such repeal not to revise any law repealed by the said act of twenty-fourth of May one thousand eight hundred and eighty-seven" amended June 1, 1959 (Act No. 68) is amended to read

Section 2 The law judges of each of the several courts of oyer and terminer and general jail delivery and of the courts of quarter sessions of the peace shall employ the official stenographer or stenographers of the courts of common pleas of the particular county to report the proceedings of the said court whenever requested so to do by any defendant or defendants or his her or their counsel before or during the trial of any case in any of

said courts Provided further That in all cases tried in the several courts of oyer and terminer and general jail delivery if the request or requests for a copy of the notes of testimony are made within ninety (90) days from date of verdict or at any time if in the discretion of the court such request should be granted the defendant or defendants shall be furnished with a copy of the notes of testimony taken at his her or their request which said notes shall be paid for by the county in which said case is tried except however that where the court finds that the defendant or defendants making the request are able to pay for the copies the cost thereof shall be paid by such defendant or defendants and shall be taxed as costs and paid to the county

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on Senate Bill No. 1043.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken an were as follows:

YEAS—167

| | | | |
|------------|-------------------|--------------------|----------------------|
| Anderson, | Gallagher, | McCandless, | Rudisill, |
| Arlene, | Garlock, | McCann, | Sakulaky, |
| Ashton, | Gelfand, | McCormack, | Scarcelli, |
| Balthaser, | Goldstein, M. H., | McDonald, | Schaaf, |
| Barton, | Goodrich, | McLaughlin, | Schuster, |
| Bell, | Gramlich, | Machmer, | Schwartz, |
| Bonner, | Guthrie, | Mahan, | Seltzer, |
| Boris, | Hamilton, | Markley, | Sherman, |
| Bower, | Heavey, | Meholchick, | Shupnik, |
| Bowman, | Heffner, | Mihm, | Silverman, |
| Branca, | Helm, | Miller, B. Z., | Snider, |
| Breth, | Henzel, | Miller, H. G., | Stank, |
| Brown, | Hocker, | Mills, | Steckel, |
| Buchanan, | Holliday, | Muldowney, | Stewart, |
| Capano, | Holt, | Mullen, | Stimmel, |
| Capitolo, | Horst, | Munley, | Stone, |
| Cianfrani, | Irviss, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Isaacs, | Murray, H. P., | Stroup, |
| Clarke, | Jim, | Murray, J. J., | Sullivan, |
| Comer, | Johnson, A. W., | Musto, | Taylor, |
| Curwood, | Johnson, R., | Needham, | Thompson, |
| Davis, | Jones, F. R., | Nelson, | Tompkins, |
| Dengler, | Kamyk, | O'Donnell, J. P. | Trusio, |
| Dennis, | Kee, | Odoristo, | Ujohal, |
| Dennison, | Kelser, | Ogilvie, | Varallo, |
| Devlin, | Kernaghan, | O'Neil, | Varnier, |
| Dougherty, | Kessler, | Parlante, | Verona, |
| Edwards, | Knecht, | Pashley, | Wall, |
| Ellberg, | Kooker, | Perry, H. H., | Walsh, |
| Eshback, | Kornick, | Perry, P. E., | Wargo, |
| Eshleman, | Korns, | Petrosky, | Welsh, |
| Farabaugh, | Kovolenko, | Polaski, | Wescott, |
| Fetterolf, | Kubitsky, | Polan, | Wheeler, |
| Filo, | Lamb, | Prendergast, | Williams, A.D., Jr., |
| Fineman, | Lee, A. M., | Price, | Williams, E. S., |
| Floyd, | Lee, K. B., | Pursley, | Wood, |
| Flynn, | Leonard, | Reibman, | Worley, |
| Foerster, | Light, | Renwick, | Wynd, |
| Frank, | Limper, | Rigby, | Yatron, |
| Frascella, | Lopresti, | Riley, | Yetter, |
| Fulmer, | Lulgard, | Rovansek, | Andrews, |
| Gailey, | Lutty, | Royer, | Speaker |

NAYS—0

NOT VOTING—43

| | | | |
|-------------|-------------------|-------------------|-------------|
| Agnew, | Ewing, | McKeever, | Raldenbach, |
| Auker, | Fox, | Magee, | Snare, |
| Blair, | George, | Maxwell, | Stevens, |
| Boles, | Gibb, | Merry, | Strausser, |
| Brenninger, | Goldstein, J. H., | Monroe, | Weidner, |
| Burns, | Haudenshield, | Moran, | Whittaker, |
| Cooper, | Jenkins, | Murphy, P. J., | Willard, |
| Crossin, | Jones, T. H. W., | Murray, P. G., | Willaredt, |
| Donahue, | Jump, | Naugle, | Wilt, |
| Donaldson, | Lippincott, | O'Dell, | Zimmerman, |
| Down, | McInroy, | O'Donnell, J. A., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN. Mr. Speaker, a while ago a Conference Committee was appointed on House Bill 1616. That committee as appointed was at that time Mrs. Varallo, Mr. Polen, Mr. Wood.

After going over to the Senate, they informed us that on this particular bill, if they meet, they want to meet later. So, therefore, a request has been made that Mrs. Varallo of Philadelphia be removed from the Conference Committee. I request now that on House Bill 1616 the name of Mrs. Varrallo be removed and I will serve as a member of the conference committee.

The SPEAKER pro tempore. The lady from Philadelphia, Mrs. Varrallo, has asked to be excused from serving as a member of Committee of Conference on House Bill No. 1616, Printer's No. 2102. The Speaker has appointed in her stead the gentleman from Green, Mr. McCann.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1616, entitled:

An Act providing for the Joint State Government Commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith the appointment of an advisory committee in connection therewith and making an appropriation.

And has appointed Messrs. VAN SANT, EHRGOOD and LANE a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 900

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 900.

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017), including neglected children within the powers and duties of the local authorities.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1675

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing

between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1675.

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32), authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2150.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2150.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 2170.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 2170.

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers * * * and providing an appropriation therefor.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1572.

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), further regulating employees' eligibility for retirement allowances and reinstatement and requirements for credit for previous service.

HOUSE BILL No. 2117.

An Act amending the "Rural State Highway Law" approved June 22, 1931 (P. L. 594), changing or deleting certain routes and adding certain new routes.

HOUSE BILL No. 2119.

An Act amending the "City State Highway Law" approved June 22, 1931 (P. L. 720), changing or deleting certain routes and adding certain new routes.

HOUSE BILL No. 2323

An Act amending the act of June 27, 1947 (P. L. 1046), entitled "State Tax Equalization Board Law eliminating the provision making the decision of the Board final requiring the Board to make a written finding of fact and providing for biennial certification of market values in odd numbered years and further regulating appeals and certifications.

SENATE BILL No. 785.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" providing for the formation of union school districts and further providing for payments by the Commonwealth to school districts.

SENATE BILL No. 882.

An Act amending the act of April 14, 1949 (P. L. 482), entitled as amended "An act authorizing and requiring cities boroughs townships municipal authorities and public utility companies engaged in the supplying of water to shut off the supply of water for nonpayment of sewer sewerage or sewage treatment rentals rates or charges imposed by municipal authorities organized by counties of the second class by cities of the second class by cities of the second class A by cities of the third class by boroughs or townships of the first or second class * * *" authorizing municipalities which impose charges for sewerage as lessee of authorities and also supply water to premises to shut off water thereto without prior request or assignment of claim or lien from the authority and placing certain conditions and limitations upon the powers and duties conferred by the act.

SENATE BILL No. 1066.

A Supplement to the act of July 15, 1957 (P. L. 929), entitled An act authorizing the incorporation of limited life insurance companies for the purpose of issuing insurance upon the health of individuals and against personal injury and disablement and death including endowment insurance regulating such companies and limiting the amounts for which such companies may issue policies" further providing for the time within which limited life insurance companies may be formed and authorizing the recapitalization of certain life insurance companies and limiting the amounts for which such companies may issue policies.

Whereupon,

The SPEAKER, in the presense of the House, signed the same.

Mr. McCANN. Mr. Speaker, I would like to clear now, at this time, the situation. We have now, at this point acted on all of the messages. The Senate is coming back at 9:00. There are messages to receive here and one of them will be 1108, where we get to the position of appointing a Conference Committee, which we are agreed at this point we shall appoint. We can take the recess, receive these messages, appoint the committee, let them work during that interim period. If that is agreed to it is satisfactory with me.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess for two hours.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

Mr. McCANN. Mr. Speaker, for the calendar for January 4th, I request that the report of the Committee of Conference on House Bill No. 1977 be placed on the calendar, along with the one bill that is on there at this point No. 1030.

The SPEAKER. That has been done.

STATEMENT BY SPEAKER

The SPEAKER. Some of the Members who are present will recall the closing hours of former Sessions. The Speaker has been around most of the time in Harrisburg since 1908. There was a period when he was out of the state, but there has been a better attendance, better decorum, a more dignified close of a Legislative Session in this year of our Lord than he can recall at any time during the last 40 years. The newcomers would hardly believe some of the old timers detailing the bedlam that prevailed in former years during the hours when the Legislature was nearing its end.

The Speaker has seen Member take one of those heavy files and go up in the front row of the gallery and hurl it down. There was a deluge of paper wads that were dangerous to the eyesight. Book covers of the files would be sailing through the air.

The old timers remember, and they can measure the progress that we have made during recent years in decorum. It is a matter to be proud of that we could have lingered so long and have closed the Session in such magnificent fashion.

CONGRATULATIONS

Mr. TOMPKINS. Mr. Speaker, I am reminded that as the gavel drops tonight it will be the last time that one of our Members will be with us officially. Although Mrs. Varallo is a Member of the majority party, I think we all gained a great deal of respect for her.

At this time I would like to express the delightful associations I have had with the Majority Whip, not only this Session but in prior Sessions. I know that wherever she goes in Philadelphia she will always have free cheese on hand for you, but you will have to pay for your beer. We hate to see her go. She is going into newer fields and I want to wish her Godspeed.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Varallo.

Mrs. VARALLO. Mr. Speaker, Members of the House and Brother Whip, I am very sad tonight knowing that I will not be here another Session, but I am happy at the thought that I have made so many good friends in this House that when I go back to Philadelphia those memories will hold for many, many years.

I want the Members of the House to know that Room 404 in the City Hall is their home when they come to Philadelphia. Thank you very, very much.

The SPEAKER. Since this is the last day that the lady from Philadelphia, will serve as a Member of this House, the Chair is asking her to preside during this closing session, during which she has added charm and grace and beauty. She will, like the Speaker, await communications from the Senate, and the Chair would hate to try to calculate the number of hours during the last thirty years he has spent awaiting communications from the Senate that were not worth receiving after you got them.

Mrs. VARALLO IN THE CHAIR.

Mr. McCANN. Madame Speaker, while the recess was on, I asked Senator McGinnes to give us a little of Galway Bay. I did not know whether we were going to start right now.

The SPEAKER pro tempore. The Senator is recognized.

Senator McGinnes sang "Galway Bay."

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1108, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the basis for reimbursement on account of instruction and changing the basis for reimbursement in certain cases.

And has appointed Messrs. WAGNER, ELLIOTT and SEYLER a committee of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee) on the subject of the differences between the two Houses in relation to said bill.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1108.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Mrs. REICHMAN and Messrs. POLEN and STROUP.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN. Madame Speaker, the Committee of Conference plans to send out communications to its conferees to meet on Monday, December 28, 1959, very likely in the House Appropriation Committee room.

House Bill 63 is returned with amendments. It is to go on the calendar.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM
GOVERNOR NON-CONCURRED
IN BY SENATE

HOUSE BILL No. 1980.

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the marking and counting of ballots.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has non-concurred.

Mr. McCANN. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE
ON HOUSE BILL No. 1980.

The SPEAKER pro tempore. The Speaker has appointed as a Committee of Conference on the part of the House, Messrs. STONE, GAILEY and HOLLIDAY,

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF
CONFERENCE ON HOUSE BILL No. 1355.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1355.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the reduction of a charge of larceny to a charge of shoplifting and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2423.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council INC Boy Scouts of America.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM
GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2297.

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1945 (P. L. 736) changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

BILLS SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 203.

An Act amending the act of June 30, 1947 (P. L. 1183) entitled "An act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions providing for a grievance procedure and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board" imposing certain duties on the Governor and State agency or political subdivision involved.

HOUSE BILL No. 648.

An Act amending the act of May 2, 1929 (P. L. 1237) entitled "The Divorce Law" enlarging the scope of divorce and annulment proceedings and decrees and orders in relation thereto.

HOUSE BILL No. 853.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing provisions relating to the approval of projects for reimbursement purposes and authorizing semi-annual payments.

HOUSE BILL No. 1057.

An Act amending the act of May 2, 1929 (P. L. 1513) entitled as amended "Boiler Regulation Law" clarifying certain provisions and eliminating certain exemptions from the act and increasing the fee for certificates for boilers and unfired pressure vessels.

HOUSE BILL No. 2118.

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law" changing or deleting certain routes and adding certain new routes.

HOUSE BILL No. 2386.

An Act amending the act of March 31, 1949 (P. L. 372) entitled "The General State Authority Act of 1949" increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

SENATE BILL No. 24.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes . . ." continuing a conditional appropriation beyond the calendar year of 1959 making an additional allocation and appropriation to municipalities.

SENATE BILL No. 1250.

An Act authorizing the conferring of the rank of Brigadier General Retired in the Pennsylvania National Guard upon Medical Corps Colonels who have served in World War I and World War II.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER pro tempore. The Chair understands that the lady from Lehigh, Mrs. Markley, will favor us with a solo at this time.

Mrs. Markley sang Oh, Holy Night.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

CONGRATULATIONS

Mr. VARNER. Mr. Speaker, this is Mr. Worley's birthday. We have in Francis Worley one of the unique and lucky people in American political government. His constituent is now on a peace mission, and I think Francis can be proud to have the President in his district. I know the President is proud to have Francis as his Representative.

The SPEAKER. Perhaps Mrs. Markley would lead in a happy birthday tribute, dear Francis.

Mrs. Markley led the Members in singing "Happy Birthday."

The SPEAKER. The Chair recognizes the gentleman from Adams.

Mr. WORLEY. Mr. Speaker, it is very thoughtful, and I thank the Members and appreciate it very much.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I wish to announce, if I may, and place in the record, the Conference Committee reports which may be completed during the period of the recess are to be submitted to the Chief Clerk's office, and the House is directing that the Conference Committee reports be placed on the House calendar for Monday, January 4.

Mr. Speaker, at this point our calendar will have for Monday, so far, three pieces of legislation, three more than I thought it would have.

The SPEAKER. The Chair desires to state that while a specific date was made for the meeting of the conferees on House Bill No. 1108, the conferees by conference among themselves, of course, are privileged to meet together and discuss the situation at any earlier date they might elect.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1355.

An Act amending the act of June 24, 1939 (P. L. 872) entitled "The Penal Code" prohibiting the reduction of a charge of larceny to a charge of shoplifting and clarifying the provisions relating to embezzlement by public officers and others handling public money as herein defined and.

HOUSE BILL No. 2297.

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1945 (P. L. 736) changing compensation payable in certain instances adding to the list of injuries for which compensation is payable changing procedures clarifying certain terminology modifying the periods of limitations and making an appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, December 18, 1959.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvenes Monday, January 4, 1960, at ten o'clock a.m., EST, unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvenes Monday, January 4, 1960, at twelve o'clock Noon, EST, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. McCANN. I rise to request concurrence in the resolution that says that the House shall convene at 12:00, noon on Monday, January 4, even though the Senate will be in at 10:00 o'clock. We probably will be waiting on the Senate for some of the reports, for signature of the bills and so forth.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NON-
CONCURRED IN BY THE HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1980, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "Pennsylvania Election Code" further regulating the marking and counting of ballots.

And has appointed Messrs. Whalley, Shafer and Mahady a committee of conference to confer with a similar committee of the House of Representatives, (already appointed) on the subject of the differences between the two Houses in relation to said bill.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that this House do now adjourn until Monday, January 4, 1960 at 12:00 noon EST.

The motion was agreed to, and (at 11:31 p.m., EST) the House adjourned.

STANDING COMMITTEES

AGRICULTURE AND DAIRY INDUSTRIES

Snider, Chairman, Farabaugh, Vice Chairman, Burns, Devlin, Garlock, Luigard, Machmer, Murphy, A. J., Nelson, Perry, H. H. Reibman, Shupnik, Yetter, Ashton, Kornis, Light, Stoner, Stroup, Wescott, Worley.

APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Boies, Breth, Dougherty, Hamilton, McCormack, Mihn, Munley, Musto, Reidenbach, Snider, Wheeler, Bower, Brown, Cooper, Helm, Hocker, Tompkins, Wood.

BANKING AND BUILDING AND LOAN
ASSOCIATIONS

Muldowney, Chairman, Clarke, Vice Chairman, Comer, Frascella, Gelfand, Holt, Jenkins, Luty, Mills, Murray, John J., O'Donnell, James A. Petrosky, Sherman, Buchanan, Cooper, Gibson, Lee, Austin M., Murray, Harvey P., Murray, Paul G., Seltzer.

BOROUGHES

Filo, Chairman, Moran, Vice Chairman, Balthaser, Burns, Farabaugh, Jenkins, Kovolenko, Meholchick, Murphy, A. J., Reibman, Rudisill, Verona, Wargo, Agnew, Fox, Fulmer, Kernaghan, Kubitsky, Williams, E. S., Zimmerman.

CITIES—COUNTIES, FIRST CLASS

Limper, Chairman, Eilberg, Vice Chairman, Branca, Comer, Frascella, Heavey, Mullen, McCormack, Muldowney, Parlante, Pashley, Schwartz, Sullivan, Boris, Johnson, Robert P., Kee, Lee, Austin M., Miller, B. Z., Mrs., Setwart, Williams, Alan D., Jr.

CITIES—COUNTIES, SECOND CLASS AND
SECOND CLASS A

Mihm, Chairman, Devlin, Vice Chairman, Clarke, Foerster, Irvis, Jenkins, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, Jump, Kessler, O'Dell, Rigby.

CITIES—THIRD CLASS

Walsh, Chairman, Yatron, Vice Chairman, Boies, Cioffi, Frank, Gailey, Luigard, McDonald, Polaski, Sakulsky, Schaaf, Stone, Trusio, Jump, Magee, Mahan, Miller, Harold G., Murphy, Peter J., Murray, Paul G., Ogilvie.

COUNTIES

Cioffi, Chairman, Flynn, Vice Chairman, Farabaugh, Kovolenko, McDonald, Meholchick, O'Neil, Prendergast, Renwick, Rudisill, Sakulsky, Stank, Wheeler, Barton, Down, Heffner, Light, Mahan, Pursley, Wynd.

EDUCATION

Reibman, Chairman, Anderson, Vice Chairman, Capano, Floyd, Gailey, Hamilton, Irvis, Musto, Polen, Reidenbach, Rovanssek, Sherman, Yatron, Dengler, Eshleman, Goldstein.

ELECTIONS AND APPORTIONMENT

Stone, Chairman, Lopresti, Vice Chairman, Capano, Devlin, Garlock, Polen, Prendergast, Rudisill, Wargo, Wheeler, Bower, Jones, T. H. W., Royer, Tompkins, Williams, A. D. Jr.

FISHERIES

Curwood, Chairman, Yetter, Vice Chairman, Arlene, Breth, Crossin, Foerster, Frank, Jim, O'Donnell, James A., Perry, H. H., Riley, Schaaf, Trusio, Donahue, Edwards, Gramlich, Stimmel, Stone, Willard, Zimmerman.

GAME AND CONSERVATION

Breth, Chairman, Frank, Vice Chairman, Burns, Filo, Gallagher, Jim, Lamb, Machmer, Meholchick, Nelson, Renwick, Riley, Yetter, Ashton, Goodrich, Kessler, Lee, Kenneth B., McInroy, Merry, Snare.

HIGHWAYS

Comer, Chairman, Garlock, Vice Chairman, Cioffi, Curwood, Filo, Heavey, Kornick, Murray, John J., Munley, Stank, Stone, Yatron, Yetter, Davis, Down, Hocker, Jump, Murray, Harvey P., Strausser, Thompson.

INSURANCE

Hamilton, Chairman, Floyd, Vice Chairman, Crossin, Jones, C. E., Fineman, Floyd, Gelfand, Kornick, Nelson, Prendergast, Sakulsky, Schwartz, Silverman, Brown, Horst, Murray, Paul G., Naugle, Pursley, Stimmel, Willard.

JUDICIARY

Rudisill, Chairman, Fineman, Vice Chairman, Devlin, Eilberg, Gailey, Gelfand, Irvis, Lamb, Mihm, Reibman,

Schwartz, Sherman, Stone, Agnew, Auker, Isaacs, Jones, Thomas H. W., Steckel, Tompkins, Wilt.

JUDICIARY—SPECIAL

Leonard, Chairman, McCormack, Vice Chairman, Clarke, Dennis, Devlin, Foerster, Heavey, Holt, Muldowney, Walsh, Bell, Bower, Bowman, Donaldson, Weidner.

LABOR RELATIONS

Wargo, Chairman, Welsh, Vice Chairman, Bonner, Branca, Flynn, Leonard, Limper, McKeever, McLaughlin, Moran, Parlante, Polaski, Rovanseck, Eshbach, Eshleman, George, Gramlich, Kee, Kubitsky, Stevens.

LAW AND ORDER

Mills, Chairman, Gailey, Vice Chairman, Curwood, Monroe, Munley, Murray, John J., O'Neil, Scarcelli, Welsh, Yatron, Gibb, Johnson, Robert P., Knecht, Naugle, Ujobai.

LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Boies, Curwood, Dougherty, Flynn, Maxwell, Mills, Pashley, Petrosky, Schuster, Taylor, Wargo, Barton, Boris, Brenninger, Eshback, Merry, Murphy, Peter J., Weidner.

MILITARY AFFAIRS

Needham, Chairman, Monroe, Vice Chairman, Anderson, Balthaser, Capitulo, Crossin, Kamyk, Kovolenko, McKeever, Mullen, Perry, Peter E., Scarcelli, Trusio, Bell, Fulmer, George, Ogilvie, Seltzer, Snare, Stevens.

MINES AND MINERAL INDUSTRIES

Rovenseck, Chairman, Bonner, Vice Chairman, Kornick, McDonald, Meholchick, Murphy, A. J., Needham, Prendergast, Stank, Verona, Buchanan, Dennison, Ewing, Knecht, Varner.

MOTOR VEHICLES

Dougherty, Chairman, McLaughlin, Vice Chairman, Branca, Cianfrani, Eilberg, Filo, Frascella, O'Neil, Parlante, Renwick, Sherman, Stone, Taylor, Brenninger, Dengler, Dennison, Ewing, Guthrie, Lippincott, Markley.

MUNICIPAL CORPORATIONS

Polaski, Chairman, Trusio, Vice Chairman, Arlene, Capitulo, Cianfrani, Holt, Jim, Mullen, O'Donnell, J. P., Perry, P. E., Riley, Schuster, Sullivan, Auker, Blair, Bowman, Fetterolf, Isaacs, Keiser, Lippincott.

PROFESSIONAL LICENSURE

Boies, Chairman, Jones, Granville E., Vice Chairman, Dennis, Dougherty, Eilberg, Fineman, Holt, Maxwell, Mc-

Cormack, Schaaf, Parlante, Silverman, Shupnik, Kooker, McCandless, Miller, Beatrice Z., Odorisio, Rigby, Stewart, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Pashley, Vice Chairman, Anderson, Breth, Dennis, Jones, Granville E. Monroe, O'Donnell, J. P., O'Neil, Silverman, Fox, Guthrie, Henzel, Kernaghan, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Petrosky, Chairman, Cianfrani, Vice Chairman, Breth, Floyd, Heavey, Luty, Maxwell, Mills, Moran, Muldowney, Mullen, Silverman, Taylor, Gibson, Heffner, Holliday, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Arlene, Capitulo, Gallagher, Limper, Luigard, O'Donnell, James P., Perry, Peter E., Welsh, McInroy, Miller, Harold G., O'Dell, Wall, Worley.

STATE GOVERNMENT

Schwartz, Chairman, Renwick, Vice Chairman, Comer, Fineman, Hamilton, Jones, Granville E., Luty, Garlock, Polaski, Polen, Reidenbach, Rudisill, Snider, Haudenschild, Jones, Thomas, H. W., Price, Royer, Strausser, Wilt, Wood.

TOWNSHIPS

Kornick, Chairman, Jim, Vice Chairman, Balthaser, Farabaugh, Flynn, Garlock, Jenkins, Machmer, O'Donnell, James A., Perry, H. H. Shupnik, Verona, Wheeler, Edwards, Goodrich, Horst, Korn, Lee, Kenneth B., Odorisio, Willaredt.

WAYS AND MEANS

Wheeler, Chairman, Frascella, Vice Chairman, Capano, Cioffi, Petrosky, Kamyk, Limper, McLaughlin, Musto, Polen, Snider, Walsh, Wargo, Blair, Davis, Ewing, Gibson, Price, Royer, Varner.

WELFARE

Kamyk, Chairman, Munley, Vice Chairman, Anderson, Bonner, Capano, Dennis, Frank, Leonard, Monroe, Musto, Murray, John J., Needham, Pashley, Donahue, Haudenschild, Weidner, Markley, McCandless, Ujobai, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Luty, Vice Chairman, Bonner, Branca, Cianfrani, Gallagher, Gelfand, McKeever, Moran, Royansek, Scarcelli, Sullivan, Welsh, Fetterolf, Holliday, Keiser, Wescott, Willard, Williams, Evan S., Wynd.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., MONDAY, JANUARY 4, 1960.

No. 127.

SENATE

MONDAY, January 4, 1960.

The Senate met at 10:00 o'clock a.m.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. JOHN DAVID TATE, Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

O God, Who art, and wast, and art to come, before Whose face the generations rise and pass away, age after age Thy people seek Thee and find that of Thy faithfulness there is no end.

Those who have preceded us in these stately halls of privilege have walked by Thy guidance or permission, and rested on Thy mercy and forgiveness. So we, too, seek to conform to Thy justice and not to deviate from Thy rightness.

During the past year, we have felt Thy restraining arm, and for the times when we have been strong enough in conviction to heed Thee, we are thankful. For the times when we have been weak and self-indulgent, we do ask Thy forgiveness.

This Session of the Legislature is now to be history and we trust that Thou wilt magnify and prosper that which is worthy of our leadership, and that Thou wilt minimize and bring to nought that which we may have done which is displeasing to Thee.

We ask that Thou wilt bless the Members of this Senate. Especially, we pray for one in the Senate Library who is ill, that Thou might place Thy healing hand upon that one.

Much as we sometimes hate to admit it, Thou art the ruler yet, and we would learn how to honor Thee in rightness rather than to be dishonored by Thee for our ineptness. We pause then for this moment to acknowledge that Thou art God and we are but Thy servants, ruling by Thy permissive will.

Hear us as we honor Thee, through Jesus Christ, Thy Son, our Lord, Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr.

RUTH, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Carbon, Mr. Scott, to the rostrum to preside.

The PRESIDING OFFICER (William Z. Scott) in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

SENATE BILL RETURNED WITHOUT APPROVAL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been returned without approval: **SB 1139.**

The PRESIDING OFFICER. The communication and bill will be laid on the table.

APPROVAL OF SENATE BILLS

He also presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 24, 136, 275, 297, 725, 773, 785, 794, 882, 1066, 1133, 1250, 1262 and 1265.**

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

CORONER IN AND FOR THE COUNTY OF ALLEGHENY

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph B. Dobbs, 3024 Paulowna Street, Pittsburgh, Allegheny County for appointment as Coroner in and for the County of Allegheny, until the first Monday of January 1962, vice Hon. William D. McClelland, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS, FORTY-FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA,
COMPOSED OF THE COUNTY OF LACKAWANNA

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate William J. Nealon, 539 Hemlock Street, Scranton, Lackawanna County, for appointment as Judge of the Court of Common Pleas of the Forty-fifth Judicial District of Pennsylvania, composed of the County of Lackawanna, until the first Monday of January 1962, vice Hon. Michael J. Eagen, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS, FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF ALLEGHENY

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Fredric G. Weir, 3318 Perrysville Avenue, Pittsburgh, Allegheny County, for appointment as Judge of the Court of Common Pleas of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, until the first Monday of January 1962, vice Hon. Harry M. Montgomery, resigned.

DAVID L. LAWRENCE.

RECESS

Mr. BERGER. Mr. President, I request a recess of the Senate until 1:00 o'clock p.m.

I would also like to announce that there will be a Republican Caucus at 1:00 o'clock p.m., to be held in the Caucus Room on the first floor.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:00 o'clock p.m.

AFTER RECESS

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM THE JOINT STATE GOVERNMENT COMMISSION, DEALING WITH "PENNSYLVANIA HIGH SCHOOL SENIORS, 1958"

Mr. FLEMING submitted the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA JOINT STATE GOVERNMENT COMMISSION

January 4, 1960.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith A Report of the Joint State Government Commission, 1959, dealing with Pennsylvania High School Seniors, 1958: Their Mental Ability, Their Aspirations, Their Post-High School Activities, A Technical Supplement.

Copies of this report have been mailed to members of the Senate.

Respectfully submitted,

BAKER ROYER
Chairman

The PRESIDENT. This report will be noted in the Journal and printed in full in the Appendix.

REPORT OF COMMITTEE OF CONFERENCE

Mr. SHAFER submitted the reports of Committee of Conference on **HB 1980**, which was laid on the table.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to **HB 1508** and **2420**.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 993, 1043, HB 900, 1508, 1675, 2150, 2170, 2420** and **2423**.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, the day before the Liberty Bowl Football Game, I promised that I would introduce a congratulatory resolution when we returned to the Senate.

At this time, therefore, I wish to present this resolution and say that if any other Senators desire to cosponsor it, I will be very happy to have them join me.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO THE PENNSYLVANIA STATE UNIVERSITY FOOTBALL TEAM UPON WINNING THE FIRST ANNUAL LIBERTY BOWL GAME

Messrs. HAYS, TAYLOR, WHALLEY, SILVERT, MAHADY, LANE, MALLERY, BERGER, PECHAN and CONFAIR offered the following resolution (Serial No. 96), which was read as follows:

In the Senate, January 4, 1960.

Whereas, On Saturday afternoon, December 19, 1959, at the Philadelphia Municipal Stadium, the Penn State University Football team, THE NITTANY LIONS under the direction of Coach Charles A. "Rip" Engle ended a most successful season by turning back the challenge of the "Crimson Tide" from the University of Alabama by a score of 7-0, and

Whereas, By this victory, the prestige of Eastern Inter-collegiate Athletics was greatly enhanced and the reputation of Penn State as a national leader in football was further established, therefore be it

Resolved, That the Senate of Pennsylvania extend its heartiest congratulations to the Pennsylvania State University 1959 football team, its coach, its captain, Pat Botula, All-American Richie Lucas and all its other members, and, be it further

Resolved, That the Secretary of the Senate transmit copies of this Resolution to Coach Engle and the members of the team.

On the question,

Will the Senate adopt the resolution?

Mr. HAYS. Mr. President, it seems to me that this group of men who upheld the prestige of Pennsylvania in the first Liberty Bowl Game, in Philadelphia, were primarily Pennsylvanians.

To show how Pennsylvania State University draws its

roots from all segments of the Commonwealth, I would point out that this squad was made up of young men from twenty-five of the fifty Senatorial Districts of Pennsylvania. Therefore, Mr. President, in order for each of the Members to shove out his chest in pride, I have a little data here to read into the record.

Senator Mahady's District contributed six players to this squad; Senator Taylor's Districts, Senator Ruth's District and Senator Kopriv's District each contributed three players to the squad; and Senator Wade's District, Senator Watkins's District, Senator McMenamin's District, Senator Shafer's District, Senator Rooney's District, Senator Miller's District and Senator McGinnis's District each contributed two players to the squad.

The following Senatorial Districts each contributed one player to the squad: The list is headed by Senator Ripp's District, which contributed the All-American, Richie Lucas, from Glassport; Senator Silvert's District, Senator Keller's District, Senator Berger's District, Senator Confair's District, Senator Harney's District, Senator Mallery's District, Senator Lane's District, Senator Murray's District, Senator Kalman's District, Senator Propert's District, Senator Pechan's District, Senator Walker's District and, of course, my own Senatorial District, from the city of Dubois, which contributed the strong fullback, Sam Sobczak.

The PRESIDENT. Certainly, this football team is most representative of the Pennsylvania Senate. I can imagine a line forming to the right because of the gentlemen who wish to sign this resolution.

Mr. BARR. Mr. President, you will notice that there is no one on that list from my Senatorial District. My boys go to Pitt. I represent the University of Pittsburgh and that is in my Senatorial District.

Mr. FLEMING. Mr. President, I certainly am very happy to vote for this very fine resolution. I know that we are all proud of Pennsylvania State University. However, since Senator Barr has just laid the groundwork, may I suggest to the Senate that we have a very, very wonderful football team in western Pennsylvania which defeated the Pennsylvania State University? The players on the football team of the University of Pittsburgh are mostly from western Pennsylvania. Therefore, we would like that to be noted.

The PRESIDENT. Senator Hays, do you desire a copy of this resolution to go to each member individually?

Mr. HAYS. I would like a copy to go to each member and the coach of the team.

The PRESIDENT. I hope you will be able to supply the names and addresses of the team members.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, by unanimous consent, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

CORONER IN AND FOR THE COUNTY OF ALLEGHENY

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph B. Dobbs, 3024 Paulowna Street, Pittsburgh, Allegheny County, for appointment as Coroner in and for the County of Allegheny, until the first Monday of January 1962, vice Hon. William D. McClelland, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS, FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF ALLEGHENY

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederic G. Weir, 3318 Perrysville Avenue, Pittsburgh, Allegheny County, for appointment as Judge of the Court of Common Pleas of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, until the first Monday of January 1962, vice Hon. Harry M. Montgomery, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Marvin L. Barry, Box 7, Leighton, Carbon County, for reappointment as Justice of the Peace in and for the Township of Franklin, Carbon County, to serve until the first Monday of January 1962, to compute from January 4, 1960.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LAURELTON STATE VILLAGE

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Claude Charles, Port Trevorton, Snyder County, for appointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS, FORTY-FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF LACKAWANNA

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Nealon, 539 Hemlock Street, Scranton, Lackawanna County, for appointment as Judge of the Court of Common Pleas of the Forty-fifth Judicial District of Pennsylvania, composed of the County of Lackawanna, until the first Monday of January 1962, vice Hon. Michael J. Eagen, resigned.

DAVID L. LAWRENCE.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, the resolution I am about to introduce has to do not with an investigation, but an over-all study of the Department of Highways.

As most of the Members of this Senate already realize, in years gone by, we have had various and sundry reports or studies of certain phase of our Department of Highways. Back in 1947, we authorized the expenditure of some \$50,000 for a study by the Brookings Institute of Washington. Following that, we had a study known as the Berger Planning Commission. Their report was made in 1950, to the then Governor James Duff. Following that, we had a study made by the Joint State Government Commission of certain phases of the Department of Highways. More recently, we had a rather complete recommendation from the Automotive Safety Foundation in Washington.

Mr. President, our Department of Highways has grown fast. The increase in the number of automobiles and trucks, and the use of highways, has occasioned the very fast growth. We have always been very proud of our Department of Highways. However, with this fast growth, some weaknesses have developed. The Members of this Senate and the Members of the House have endeavored over the years to make an equitable distribution of Highway Funds which, after the vote of the people on November 6, 1946, were dedicated and limited to the use of highway purposes, only. After that time, the funds could not be used for any other purpose.

In casual observance, we find that only some fourteen counties, in the Commonwealth of Pennsylvania, have any highways left, although practically all, except five or six, have some bridges which belong to the counties. Under the present law, we have been making an allocation of one-half of one cent to these counties. As recently as last week, the Auditor General's Department criticized one county as to whether or not the funds allocated to that county, out of the one-half of one cent, were spent on the highway system, in accordance with our Constitution. Let me say further that in the 746 miles which continue in Pennsylvania under the county system, more than 500 miles are now in one county. Five counties have a total of 11.56 miles. In other words, in five counties there are only 11.56 miles of county roads. Of course, many counties have none at all.

For that reason, Mr. President, I think it is time that we have a complete, over-all study of the highway situation in Pennsylvania. Also, in view of the fact that we are getting into the Federal Interstate and Military Highway System, a certain portion of our funds will go for that purpose.

I am, therefore, Mr. President, offering this resolution.

SENATE RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE HIGHWAY SYSTEM AND ALL ITS RELATED PROBLEMS

Messrs. WADE, KESSLER, PROPERT and BERGER offered the following resolution (Serial No. 97), which was read as follows:

In the Senate, January 4, 1960.

It is obvious that the highway system in our State, which is the tenth largest in the country, is in need of revision. Men who are familiar with the problems and complexity of a modern and efficiently managed highway network are well aware of this fact. On November 9, 1959 a resolution, asking for a study of the classification of all highways in the Commonwealth, was introduced in the House of Representatives by the Chairman of the Highways Committee but it still lingers in the Rules Committee of the House.

As far back as 1947, the problem of State and local highway financing was brought to the attention of the people of the Commonwealth. We spent approximately \$50,000 to have a complete report made by The Brookings Institution of Washington, D. C. This report, which was very thorough and comprised approximately 250 pages, offered many recommendations which could have been followed but evidence indicates that very little was done in carrying out the suggestions.

In 1950, the Highway Planning Commission, with Senator James S. Berger as its chairman, dealt with the problem. Their report, which is entitled "Pennsylvania Highways—Today and Tomorrow," also made serious and well considered recommendations. They went into the problem of the present systems of State grants and came to the conclusion that the distribution pattern of grants was particularly unsound and needed to be revised, yet it seems evident that very little, if anything, has been done along those lines.

Under existing law, the counties receive a part of the money derived from the sale of gasoline and other fuels. This money is to be used primarily for highway and bridge purposes, yet there are only fourteen counties that maintain their roads and out of these fourteen, nine have a total of approximately eleven miles. It is true that some counties maintain bridges with the money received from the State but in four counties they have neither a county road nor a county bridge. Surely something should be done to determine why this money is still being sent to the counties when in many cases they do nothing but collect it and then turn it over to the municipalities.

As recent as August, 1958, another report, with recommendations for modernizing State policies and practices in relation to our highway system, was submitted by the Automotive Safety Foundation. Once again they suggested that we change our present highway system and establish a uniform plan whereby there would be a just and equitable way of determining what highways should be supported by the State and what ones should be left to the local governments. In the past, most sessions of the General Assembly passed legislation which added mileage to the State system but at the same time there were some deletions. It seems that in this session the plan was merely to add hundreds of miles of highways to the State system as well as many bridges. This certainly shows that the recommendations of the American Safety Foundation are not being carried out.

As we can readily see, Pennsylvania is without a plan for a uniform highway system that is just and equitable for all the areas of the State; therefore be it

Resolved, That the Joint State Government Commission investigate and study the highway system and all its related problems, including but not limited to the grants which are made to the local government for the maintenance of roads; and be it further

Resolved, That they determine what steps have been taken to comply with the recommendations and suggestions made in the various reports already submitted; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations, together with drafts of such legislation, as may be necessary to carry its recommendations into effect, to the next regular session of the General Assembly.

Mr. WEINER. Mr. President, I would like to object

to the immediate consideration of this resolution for the following reasons.

The gentleman, as Chairman of the Committee on Highways of the Senate, well knows that there have been a number of pieces of legislation sent to him this Session by the House, which have been recommended by the Secretary of Highways, that were in keeping with this automotive report. I think that it is a bad practice for us, because we cannot solve a problem among ourselves or through the committee system set up in the Senate, to ask for another committee to make another report.

After we spend all of this money to have the Joint State Government Commission make an investigation and present another report, what assurance do we have from this very same gentleman that he will even vote for their recommendations, or will try to enact such legislation?

This is certainly a rather odd way to handle a problem by ducking it. That is exactly what you are doing. You are asking the Joint State Government Commission to make one more report and have a copy of the report sent to all of the Members. The Campbell Report, which was made by the Comptroller General, was mailed out to every Senator here. I will not embarrass anyone by asking how many Members here have read that report, and I realize that it is not pertinent.

I saw Senator Wade raise his hand. He made a statement to the newspapers,—and if I am incorrect, I hope he will correct me—whereby he said there was going to be an intensive investigation as a result of this report. About a week or so later, a statement attributed to the same Senator—if I am incorrect, I hope he will correct me—stated that he was not going to make any kind of an investigation. He felt that one day would be sufficient in this matter, as he felt the Campbell Report did not cover the entire problem. If these are the kind of reports that we are going to rely upon, and these are the kind of recommendations that we are going to use as a basis for taking any kind of action, I think we are wasting the State's money and the State's time.

Road programs are not something that you can do within five or ten minutes or five or ten years. I believe that Senator Berger will be glad to advise us that the report he made took a ten year view of what was going to happen in this State, and all of those things that were reported in that report pretty well have come to pass. We have been pleading this Session that we do the same thing now for another ten years, because it will take almost a year or two before this report can be written. It is comprehensive. Is it the type of thing which goes into many, many facets of our program.

I would say to the Senator that he has enough material now in his committee, if he would be willing to hold hearings or be willing to take it up with his committee, to bring this entire problem before the Senate and the Legislature so that we can take proper action on it. The appointing of one more committee to take one more look at this problem, with one more report with thousands of pages of suggested legislation which nobody reads and which will not be enacted into law, I think is a rather sorry way to go about dealing with an important problem which faces all of us, as well as the economic welfare of this State.

Mr. BERGER. Mr. President, it is seldom that we have

a lengthy debate on objection to the immediate consideration of a resolution.

I only want to say very briefly that, in part, what Senator Weiner said was true. It is not a good practice to refer problems which we are unable or unwilling to solve in the Legislature to the Joint State Government Commission. However, I cannot agree with the Senator on one point that he made, and that is that there are too many studies being made on this subject.

My suggestion would be that the subject is one which ought to be under continuous study at all times through a permanent commission. I believe that from time to time we have introduced legislation in the Senate to provide for a Highways Commission, headed up, if you will, by the Secretary, but at least a continuing body whereby there would be no lapse in the program as Administrations change from time to time.

Now as to one thing I do know about, Mr. President, the Report of the Highway Planning Commission, of which I was chairman, submitted in 1950, was projected over approximately twelve years. However so fast was the addition of vehicular traffic to our highways that in less than five years, the recommendations which we made were somewhat obsolete, even in that short period. It is very, very difficult to project and find the projections to be within the proper scope.

Therefore, Mr. President, I cannot say that the study by the Joint State Government Commission will not be useful. I believe that it will. However, I also say that I believe this subject should be one of continuing study rather than terminable at the end of the next Session, or whenever the report is made by the Joint State Government Commission.

Mr. BARR. Mr. President, I will tell you the part of this resolution to which I object and that is the concluding paragraph, which states that the Joint State Government Commission conduct this investigation. I am in favor of an investigation. However, I am in favor of joining, as the Governor has stated he will join, with the Secretary of Highways in helping, because I want this to be done by the Senate and not by employees of the Senate.

I am confident that the results of this report will show just where the failure has been, and that is right over on the other side because legislation was not passed. Legislation has been sent over here in the last five years containing the things which need to be done for the highways. I will object to the end of my time to the Joint State Government Commission making this study. Let us do it in the Senate and the House. Let us have a thorough investigation. We have nothing to hide.

Mr. WADE. Mr. President, the Members discussing this resolution insist on using the word "investigation," which is all right and proper, but I would rather use the word "study." What we want to do is get down to a comprehensive study to know where we are going on our highway problems.

I must say to Senator Weiner, in all kindness, that I know he is interrupted continuously in his official position, and I observed that he was holding conversations which he cannot avoid, and certainly I am considerate of that fact. However, if the Senator had, heard what I said initially in presenting this resolution, he would have heard me refer to the Brookings Institute Report, for

which we paid some \$50,000 in 1947. It was recommended in that report that a comprehensive plan, projected over the years, be presented or be studied, and Senator Berger carried that out with his committee and reported back in 1950 to the Legislature and to Governor Duff. It was followed by a more comprehensive study in certain phases only. The study did not cover the phase of distribution of the money to the municipalities and to the counties, and many other phases, such as the additions to the highway system or deletions from the highway system.

As a matter of fact, more recently, fourteen months ago, we had the Automotive Safety Foundation Report, which, again, was quite comprehensive. I have a resumé of the recommendations in my hand. I think every Member of the Legislature perhaps received this report, although I do not know. Some of the major recommendations include acquisition of the right of way and factual data on needs. Let me read that paragraph:

"Begin immediately the collection of the factual data required for a comprehensive, statewide analysis of highway needs. The study should be made by the department, under legislative auspices to provide a base for the development of construction and maintenance programs, and for sound determination of policies and allocation of revenues by the legislature."

I think we would all agree that this is very comprehensive in itself. Another recommendation reads:

"Call a moratorium on legislative changes in the State Highway System. Direct the highway department by law to make a study and submit recommendations for reclassification of all roads and streets, in accordance with their function, traffic volumes and other pertinent data."

Other recommendations include reclassification, study of rural roads, traffic engineering and continuity of management, as follows:

"To minimize political influences on the operations of the highway department, which have been traditional in Pennsylvania, and which prevent continuity of either programs or personnel, separate permanently by statute the policy-making and the administrative responsibilities. This could be achieved by the establishment of a part-time highway commission, to be appointed by the governor and approved by the Senate, with specified policy-making duties and responsibilities . . ."

I do not want to burden the Members of the Senate on this, one of the closing days of the Session, by reading the entire report. However, I submit it will be very interesting to those who are interested in the development, on a sound basis, of our highway system.

I have further figures here. We have been confused by the fact that we now have a Conference Committee working on House Bill No. 2459, which would add to the highway system, contrary to the recommendation of this fine report.

Those are part of the reasons, Mr. President and Members, that I think it is time now that we go into all of the phases of this massive highway system, of which we are all justly proud in Pennsylvania. We want to keep it the leading highway system in the United States. We want to continue to be proud of it. We want it to be sound. We want the funds, which are allocated by vir-

tue of a constitutional amendment, to put into the proper hands and distributed equitably and fairly.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise us,—it may be that I did not hear him correctly—is this the 1947 report that you read, sir?

Mr. WADE. No, this is the 1958 report from the Automotive Safety Foundation of Washington, D. C.

Mr. WEINER. Do you subscribe to the points brought out in that report or the recommendations made?

Mr. WADE. That is a very touchy question, and I appreciate it, Mr. President. However, I want to say that I subscribe to part of it, but not in its entirety. There are parts of it to which I might subscribe if I had a good study by the Joint State Government Commission, reaching into areas which are not covered by this report. This report, for the sake of brevity, does not cover those points entirely.

Mr. WEINER. Senator, in that report, did you read to us about the acquisition of land and property, and recommendations made on that problem?

Mr. WADE. No, Mr. President, I did not want to burden my colleagues by reading this entire booklet.

Mr. WEINER. Senator, is that contained in the report?

Mr. WADE. It is, Mr. President.

Mr. WEINER. Do you subscribe to that recommendation?

Mr. WADE. No, not entirely.

Mr. WEINER. Do you subscribe to any part of it?

Mr. WADE. Under certain conditions, yes, I would subscribe to changes in our method of acquiring property or paying claims.

Mr. WEINER. Senator, at any time you want me to stop asking question, just tell me and I will stop.

Mr. WADE. Thank you.

Mr. WEINER. Senator, would you please advise us if you voted this Session on House Bill No. 2388, which dealt specifically with the State highway law, making amendments thereto, and dealt also with the authorization for the acquisition of property necessary for present or future highways?

Mr. WADE. Mr. President, the answer is "no." I did not have an opportunity to vote on its final passage.

Mr. WEINER. Did you vote on that bill at any time, Senator?

Mr. WADE. I voted to return the bill to committee for further study.

Mr. WEINER. To which committee was this bill returned?

Mr. WADE. To the Rules Committee.

Mr. WEINER. Are you a member of that committee, Senator Wade?

Mr. WADE. I am not.

Mr. WEINER. Are most of the Members on your side members of that committee?

Mr. WADE. No, I would say not, Mr. President. My recollection is that there are only five Members on this side who are members of the Rules Committee.

Mr. WEINER. What is the total number of that committee—Do you know, sir?

Mr. WADE. My recollection is seven members.

Mr. WEINER. So that if five Members are Members of your side—I will let you confer with counsel, if you would like.

Mr. Wade. I would like to confer with the book, if I may.

Mr. President, according to my count, there are nine members.

Mr. WEINER. There are nine members. How many of them sit on the same side of the aisle with you, Senator?

Mr. WADE. Six members.

Mr. WEINER. Six. Actually, two-thirds of the committee are members who sit on the same side of the aisle that you do, sir?

Mr. WADE. That is correct, according to the History dated Monday, January 4, 1960.

Mr. WEINER. Senator, did you ever discuss this matter with the Members who sit on the same side as you do who are members of this committee?

Mr. WADE. Yes, Mr. President, certainly, I have discussed legislation with different members of that committee.

Mr. WEINER. Have you tried to have this bill rereported to the floor, so that all of us could have an opportunity to vote on it on final passage?

Mr. WADE. Not being a member of that committee, that would not be my prerogative, Mr. President.

Mr. WEINER. Senator, perhaps that is my fault. Please forgive me. I did not state the question correctly. The question I was asking was, did you ever try to ask the members of that committee, who sit on the same side of the aisle as you do, that this bill be rereported so that we would all have an opportunity to vote on it.

Mr. WADE. Mr. President, my discussion on that phase of this bill was to the point of how far-reaching it was and how revolutionary it would be from our present practice of acquiring highway rights of way. Up to this time, on most of our roads, exclusive of the Federal Interstate Highways and the Turnpike, the procedure has been to take a long-term easement. This bill, as I recall it, would have permitted the Highways Department to buy land after they had determined to build roads in certain areas and proceed from there. However, that plan has been criticized in the States of Maryland and West Virginia. I have, if you wish me to read it, the criticism here in the report of Joseph Campbell, Comptroller General of the United States, to which the gentleman referred just a few moments ago.

Mr. WEINER. Mr. President, I do not mean to get far afield. However, would the gentleman please advise whether he thinks the Campbell Report is pertinent to the problems which present themselves today in Pennsylvania as far as the Highways Department is concerned?

Mr. WADE. Mr. President, may I ask the gentleman to repeat the question?

Mr. WEINER. I will be very happy to do so. Mr. President, does the gentleman feel that the Campbell Report is pertinent today to the highway problems which face Pennsylvania?

Mr. WADE. The answer is that certainly it is. Many phases brought out in this so-called Campbell Report, which is a resume in substance of the Automotive Safety Foundation Report, are pertinent. Here I have some of the criticism brought out in the Campbell Report against

certain States—namely, Maryland and West Virginia—where the Legislatures have given to the executive departments of government their legislative prerogatives and, in turn, this Campbell Report criticizes the action after that legislation was passed.

Mr. WEINER. Mr. President, will the gentleman please advise us how old this report is?

Mr. WADE. The report was issued in October 1958 by the Bureau of Public Roads, Department of Commerce. However, the Comptroller General of the United States transmitted the report in Decemebr 1959, some two to three weeks ago.

Mr. WEINER. Mr. President, I want to thank the gentleman for his co-operation in answering the questions. I would like to point out to the Members of the Senate that this report, by the gentleman's own statement in the newspaper,—if he was misquoted, I hope he will correct me—in many, many areas was inappropriate and it did not apply, as it was rather old in the fact that it did not face the modern problems that we now face. I am very happy to see the gentleman shaking his head in agreement with me, for a change.

I would also like to point out to this very same gentleman that House Bill No. 2388, which he, among others, voted to recommit to committee,—and, in a sense, this was the actual death knell of that bill—dealt with the problems which face the Highways Department, not only as to present problems but projected into the future the problems which we will face.

Just to have report upon report upon report certainly will not solve the problem. Merely introducing resolutions is ducking the action which the Senator himself does not wish to take, or which the members of his committee refuse to take on the problems that face us, because we, as an economic entity, in order to maintain our position must provide highways and must provide ingress and egress out of our areas which produce goods for the markets. Without these arteries, it is the same as cutting any artery in the living human being; the body must die. That is exactly what we are doing. A report will not heal the body, but action will. The action is not indicated in having another report or a number of witnessess, all of whom have a certain view which they wish to maintain or put forth.

I would suggest the gentleman that rather than have another study made, we take action on the present studies now before us.

Mr. BERGER. Mr. President, certain interrogations directed to Senator Wade, as Chairman of the Committee on Highways, seem to me might have better been directed by the Minority Leader to the Chairman of the Rules Committee, in which committee this bill reposes.

Mr. President, I now desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the gentleman whether or not he is a member of the Rules Committee.

Mr. WEINER. I am, Mr. President.

Mr. BERGER. I ask further, Mr. President, whether the gentleman is ignorant of the number of people on that committee.

Mr. WEINER. I am not, Mr. President.

Mr. BERGER. At least, the gentleman is not now ignorant of the fact, after being informed by Senator Wade.

Mr. WEINER. I might even say that I knew the number of members when I asked Senator Wade the question.

Mr. BERGER. Mr. President, I ask the gentleman whether or not he was aware that this bill had been recommitted to the Rules Committee.

Mr. WEINER. Mr. President, I have been aware that this bill was recommitted to the Rules Committee.

Mr. BERGER. I ask the gentleman whether or not there was a meeting of the Rules Committee, following the recommitment of the bill.

Mr. WEINER. There have been numerous meetings of the Rules Committee since the bill has been recommitted.

Mr. BERGER. Would the gentleman advise the Members of the Senate whether he made a request for this bill to be reported out again from the Rules Committee?

Mr. WEINER. I did not make a formal request to the Rules Committee, but I talked to some of the members of the committee and was advised that Caucus action had been taken on this measure and that the measure was dead so far as this Session was concerned.

Mr. BERGER. Mr. President, am I to understand that the gentleman did not make such a request at any meetings of the Rules Committee subsequent to the recommitment?

Mr. WEINER. I made no formal request.

Mr. President, at this time, I would like to make a formal request of the Chairman of the Rules Committee that this bill now be brought before us. I would be very happy to attend such a meeting. I believe most of the Members are here and we could hold such a meeting now; bring this matter to the floor and take action on it. I believe when it came back to the floor, it would appear on Second Reading. We could then pass it today on Second Reading and pass it on Final Passage tomorrow. I think we are contemplating having a Session tomorrow.

Mr. BERGER. Mr. President, I am sure that the gentleman is entirely sincere in his request. However, I am also sure that he will recognize the fact that it would be unusual, at this time, to call a meeting of the Rules Committee, when we are probably less than twenty-four hours away from final adjournment. However, I will take the request under advisement and will talk to the gentleman about it.

Mr. WEINER. Mr. President and Members of the Senate, this is a problem I have been facing all Session. I have been waiting for this advisement to take place in order for me to be advised about what the next step is going to be. Somehow or another, the advisement never reaches me and the bills never come out of committee.

The PRESIDENT. There being objection to the immediate consideration of this resolution, the resolution is referred to the Committee on Rules.

DISCHARGE RESOLUTIONS

TO DISCHARGE COMMITTEE ON RULES FROM FURTHER CONSIDERATION OF **HB 325**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 325, Printer's No. 999, entitled "An act providing for the regulation of lobbying; requiring registration of lobbyists, keeping accounts of contributions and of receipts and expenditures, reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation," having been referred to the Committee on Rules on September 23, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, in conjunction with this resolution, I am going to offer a series of discharge resolutions and, in order to save time, I would like to discuss all of them at this time so that the Members will be advised about what problems we are voting on.

Senate Bill No. 945 would place industrial insurance agents under the Unemployment Compensation Act.

House Bill No. 325 would require registration of lobbyists. I realize that this is rather a harsh measure. However, it is not intended to hurt anyone. I think the gentlemen who come up here to perform their tasks, so far as legislation is concerned, should have no concern about this problem whatsoever. I am sure that if they deal on a high level,—and I have no reason to believe otherwise—they would have no difficulty in registering, or in naming the people from whom the funds come and how the expenditure is made.

House Bill No. 584 would increase the penalties for violation of the provisions of certain safety regulations concerning the operation of machinery in industrial establishments. As our society becomes more complex, as far as the industrialization of our civilization and communities is concerned, which grew out of the industrial revolution in this Country, I do believe that we need further tightening up of safety measures so that people will not needlessly be hurt or be needlessly left without a means of earning a livelihood.

House Bill No. 608 creates a Governor's Council for Economic Development. This is modeled after the Federal legislation which was signed by President Eisenhower. It is on the basis of a full employment bill. It is completely modeled after the National Act, reduced down to the State level.

House Bill No. 765 directs the execution of an interstate compact on mental health. This measure has been before us a number of times. It is an important measure and has been adopted by a number of States. It would permit Pennsylvanians who become ill in some other community to receive aid in that other community, rather than be brought back to Pennsylvania and dealt with here. This is an expensive procedure. Sometimes the difference in the time it would take to start the healing procedure may make the difference between a person returning to society, well and able to take care of himself, or spending the remainder of his days in a mental institution.

House Bill No. 777 creates a State Apprenticeship Council to formulate apprenticeship policies. I think all of us are aware of the fact that today, young men do not have an opportunity to be trained for a job because skilled people are wanted. Many young men do not have

any background of schooling when they go to try out for a job. If they have a lack of schooling, some of them are unable to obtain a position. Some of the young men, at the age of eighteen or nineteen, are retarded and unable to get a job which is commensurate with their abilities, due to the fact that they have received no training in any kind of skill.

House Bill No. 1148 deals with the amending of the Occupational Disease Act, to provide compensation for disability caused by exposure to radiation hazards. It seems to me that it is almost needless for me to talk about this. I think all of us are aware of strontium 90, which is in our atmosphere. I think all of us are aware that atomic energy is moving into our industrialized society, and I also think all of us are aware of the hazards which that brings with it. For me to ask that this be done is almost a needless task. I think all of us are aware of the problems contained in this happening. I think all of us should be only too anxious to do something about it, rather than having to be urged by my colleagues and myself to do so.

House Bill No. 1412 requires prevailing wages to be paid in all public works contracts. This has been before us a number of times and each time it died in this Senate.

House Bill No. 1571 further imposes limitations on the employment of minors and changes the penalties and regulates the procedures. This also is almost needless for me to speak about, because as we are getting into a highly complex society and toward a shorter and shorter workday, we want every person who is able-bodied and who has the ability to earn a livelihood to do so. Minors should be removed from the labor market so that adult people, who have families for whom they must provide, have an opportunity to do so.

House Bill No. 1873 requires employers to furnish employees with instructions concerning their rights under workmen's compensation in the event of an accident. This basis of the law is that ignorance of the law is no excuse. However, how many of us sitting here, as lawmakers, know all of the laws that are on the books, know even all of the different turns and twists sometimes the law takes, or the amendments and repeals made in every Session? In any given Session of the Legislature, 3,000 to 4,000 bills come before us. Of that number, perhaps 500 to 800 become law. How many of us know all of these bills or all of the different manifestations in them. You certainly cannot expect a man working for a livelihood to keep abreast of all of this changing legislation, when his employer, through his own organizations, associations and Chambers of Commerce, is kept abreast of it by weekly bulletins. I certainly think it is very little to ask that a man be so instructed when he has any difficulties of that kind.

House Bill No. 1944 is an amendment to the Minimum Wage Act, revising procedures and appeals from the actions of the Wage Board and establishing supplementary minimum wages.

I think to talk about minimum wages on the State level, when on the national scale we have constantly talked about it, pleaded for it and have gotten different changes in the Act from time to time, seems almost a waste of my time and a waste of the time of the people

in this body who are intelligent enough to realize the problems of the workingman today.

House Bill No. 112 amends the Workmen's Compensation Act by increasing the liability for burial costs. I do not think that needs any further amplifications by me. I think that stands on its own two feet.

House Bill No. 401, requiring railroads to furnish flag protection to all trains on the main track, also does not need further amplification by me.

I think one thing does need further amplification and it is one thing concerning which I would like all of you gentlemen to take note. Almost all of these bills, with the exception of the first bill which I discussed, are all House Bills. These bills have all been put into the hopper in the House, have come out of committees in the House, have passed the House and have come over here. I do not think that is an accident. I do not think it is even a happy coincidence. I think it is a deliberate act for us to carry out the platform pledges made by our Party during the gubernatorial campaign.

I believe that the Republican Platform also bears these very same pledges in many places; if not exactly in chapter or verse, I believe in the general tenet of their labor plank.

I cannot see how, after you plead and make known to the people exactly what you are going to do, you can refuse to take the action when already part of it has been taken for you and brought to your attention. I think to sit mute or to take no action at all on it certainly bespeaks very little for the abilities and for the desires on the part of the gentlemen sitting on the other side of the aisle, especially when they control all of the committees and especially when they have the majority vote to put through any bill with or without any Democratic votes from this side. I cannot understand this action or this attitude, especially when the platform of your Party has stated the position you will take on these measures.

I think it behooves us, at this time, at least to consider these measures, or at least those which we feel are applicable or which we can take action upon. I am sure that we can adjust the rules of this Body to take care of these measures if there is an earnest desire to pass this legislation to help the working people in our Commonwealth.

Mr. BERGER. Mr. President, before requesting my colleagues to vote, I might point out to the gentleman that, by and large, these bills that he has enumerated here might be termed hardy perennials. They appear before us in one form or another about every Session, with the possible exception of one of two which appear to be new.

Mr. President, there is one bill here which would require employers to furnish employees with instructions concerning their rights under the Workmen's Compensation Act in the event of an accident. There is not too much objectionable about that. However, why in the world does the Department of Labor and Industry not issue a pamphlet to be handed out to employees going to work at any time so that they can have instructions as to their rights under the Workmen's Compensation Act? That is what the department is for, to disseminate information relating to the rights of employees and the various laws concerning the regulation of labor and management.

Any number of these bills, Mr. President, have appeared before us from time to time.

I would like, at this time, Mr. President, to inquire whether the Minority Leader will permit himself to be interrogated.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I inquire of the gentleman whether he is aware of the date.

Mr. WEINER. Today's date?

Mr. BERGER. Today's date; yes, sir. Would you inform us as to today's date?

Mr. WEINER. January 4, 1960.

Mr. BERGER. Will the gentleman inform us as to tomorrow's date?

Mr. WEINER. January 5, 1960.

Mr. BERGER. Mr. President, will the gentleman inform us as to his conception of the number of legislative days needed to pass a bill in this Senate?

Mr. WEINER. Mr. President, the answer to that question is three days. However, I believe if the gentleman will allow me to elaborate—I do not mean to go beyond his interrogation—I stated in my remarks that we could adjust the rules of this Body if we were interested in passing this legislation to cover that contingency. I am aware of the fact that the days are numbered. However, I think we could adjust that among ourselves without any difficulty at all in order to pass this legislation if we so desired.

Mr. BERGER. Mr. President, while I seldom, if ever, disagree with my counterpart, nevertheless, I want to point out that in the Session of 1959, expiring tomorrow at high noon, we could not, even by suspending the rules, pass any of these bills which are presently in committee. They would be reported out today for the first time, and they could not be passed and read on three separate days in the open Senate. They could not be read twice on the same day, Mr. President. At least, in my understanding of the requirements of the Constitution, that would be impossible.

Mr. WEINER. Mr. President, I would hate to ask anyone to commit a mere perfunctory act. However, I think if the gentlemen were earnestly interested in passing this legislation, we could go through it and pick out those bills about which we feel there would be no problem. Let us bring them out on the Calendar. Let us pass them today. Perhaps we could suspend the rules and take care of the problem of first reading, have them on second reading today and, perhaps, read them for the third time tomorrow, if we earnestly wanted to do that.

Of course, if we have to have three legislative days and we are going to stick to the rules very closely, we are not going to be able to pass any measures other than those that are now right before us on the Calendar.

Mr. BERGER. Mr. President, not to belabor this point, but it is not a rule of the Senate that we would have to suspend. As I understand it, it is a constitutional provision, and there is no way I know of that this Senate can suspend the operation of the Constitution of Pennsylvania.

Mr. WEINER. Mr. President, I believe the gentleman was in the Senate early one morning when we were discussing the beginning of a new legislative day and the

meaning thereof. I was told that the days of the Senate or the House are what the Members say they are. I do not know that this would be a real problem here, but I think it would be part of the solution to the problem which is before us.

One evening around 12:00 o'clock, I respectfully suggested to the Chair that we were in a new legislative day, and it was then that I learned that we did not have a legislative day. Legislative days were what the Senate or the House saw fit to call them.

Mr. BERGER. Mr. President, once again I must say that under that discussion, it was the end of a legislative day about which we were talking and not commencing a new legislative day. Consequently, Mr. President, I reiterate for the benefit of the Members of this Senate that under present Calendar considerations, it will be impossible, under any circumstances, to pass these bills for which Senator Weiner asks the discharge of committees.

Therefore, I would ask my colleagues to vote "no" on the resolutions.

And the question recurring,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliot, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF

HB 584

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 584, Printer's No. 215, entitled "An act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, 'An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed and the equipment, apparatus, material, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties,' increasing penalties," having been referred to the Committee on Labor and Industry on June 8, 1959, and the committee not having been reported to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON STATE GOVERNMENT FROM FURTHER CONSIDERATION OF
HB 608

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 608, Printer's No. 1162, entitled "An act to further the economic development of the Commonwealth; providing for an economic message by the Governor; creating a Governor's Council for Economic Development and an Interdepartmental Economic Advisory Committee; and defining the powers and duties of these agencies," having been referred to the Committee on State Government on July 28, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON RULES FROM
FURTHER CONSIDERATION OF **HB 765**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 765, Printer's No. 221, entitled "An act authorizing and directing the Governor, on behalf of the Commonwealth of Pennsylvania, to execute an interstate compact concerning mental health and for related purposes," having been referred to the Committee on Rules on September 15, 1959, and the committee

not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND
INDUSTRY FROM FURTHER CONSIDERATION
OF **HB 777**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 777, Printer's No. 1126, entitled "An act relating to apprenticeship, creating a State Apprenticeship Council in the Department of Labor and Industry to formulate an apprenticeship policy and program; and defining its powers and duties, and providing for administration," having been referred to the Committee on Labor and Industry on July 28, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF **SB 945**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That Senate Bill No. 945, Printer's No. 1114, entitled "An act amending the act of December 5, 1936 (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer and prescribing penalties,' including services of industrial insurance agents within the definition of employment," having been referred to the Committee on Labor and Industry on July 14, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Stevenson, | Van Sant, |
| Blass, | Harney, | Taylor, | Wade, |
| Chapman, | Keller, | Mallery, | Wagner, |
| Confair, | Kessler, | Pechan, | Walker, |
| Ehrgood, | Koprivier, Jr., | Propert, | Watkins, |
| Elliot, | Kromer, | Scott, | Whalley, |
| Flack, | Madigan, | Shafer, | Wolfe, |

So the question was determined in the negative, and resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF SB 1148

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 1148, Printer's No. 1144, entitled "An act amending the act of June 21, 1939 (P. L. 566), entitled 'An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation and prescribing penalties,' providing for compensation for disability caused by exposure to radiation hazards," having been referred to the Committee on Labor and Industry on August 17, 1959, and the committee not having reported the same to

the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|----------|
| Berger, | Harney, | Pechan, | Wade, |
| Blass, | Keller, | Propert, | Wagner, |
| Chapman, | Kessler, | Scott, | Walker, |
| Confair, | Koprivier, Jr., | Shafer, | Watkins, |
| Ehrgood, | Kromer, | Stevenson, | Whalley, |
| Elliot, | Madigan, | Taylor, | Wolfe, |
| Flack, | Mallery, | Van Sant, | Fleming, |

So the question was determined in the negative, and resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF HB 1412

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 1412, Printer's No. 571, entitled "An act relating to public works contracts; providing for prevailing wages, imposing duties upon the Secretary of Labor and Industry; providing remedies, penalties and repealing existing laws," having been referred to the Committee on Labor and Industry on June 22, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Propert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliot, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF HB 1571

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 1571, Printer's No. 643,

entitled "An act amending the act of May 13, 1915 (P. L. 286), entitled 'An act to provide for the health, safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance, reissuance, filing, return and recording of the same by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioners of Labor and Industry, the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith,' further prescribing work in which minors may engage and further regulating working hours, minors' employment certificates and proof of age, changing the penalties and further regulating prosecutions and providing a short title," having been referred to the Committee on Labor and Industry on June 15, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUSTRY FROM FURTHER CONSIDERATION OF HB 1873

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 1873, Printer's No. 1177, entitled "An act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder and prescribing penalties,' requiring employers to

furnish employes with instructions on their rights in the event of an accident," having been referred to the Committee on Labor and Industry on August 17, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Scott, | Walker, |
| Ehrgood, | Koprivier, Jr., | Shafer, | Watkins, |
| Elliott, | Kromer, | Stevenson, | Whalley, |
| Flack, | Madigan, | Taylor, | Wolfe, |

So the question was determined in the negative, and the resolution was defeated.

TO DISCHARGE COMMITTEE ON RULES FROM FURTHER CONSIDERATION OF HB 1944

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 1944, Printer's No. 1290, entitled "A supplement to the act of May 27, 1937 (P. L. 917), entitled 'An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry; imposing duties on employers; providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders; exempting certain persons from the provisions of this act and providing penalties,' concerning minimum wages; providing for a minimum wage for employes in this Commonwealth; providing a wage board procedure for establishing supplementary minimum wages; defining the powers and duties of the Department of Labor and Industry and providing penalties," having been referred to the Committee on Rules on August 31, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Sarraf, |
| Camiel, | Mahady, | Murray, | Seyler, |
| DiSilvestro, | McCreesh, | Ripp, | Silvert, |
| Donolow, | McGinnis, | Rooney, | Stiefel, |
| Hays, | McMenamin, | Ruth, | Weiner, |
| Kalman, | Miller, | | |

NAYS—28

| | | | |
|---------|----------|----------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |

| | | | |
|--|---|--|--|
| Chapman, Confair, Ehrgood, Elliott, Flack, | Keller, Kessler Koprivier, Jr. Kromer, Madigan, | Propert, Scott, Shafel, Stevenson, Taylor, | Wagner, Walker, Watkins, Whalley, Wolfe, |
|--|---|--|--|

So the question was determined in the negative, and resolution was defeated.

TO DISCHARGE COMMITTEE ON CORPORATIONS FROM FURTHER CONSIDERATION OF **HB 401**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 401, Printer's No. 252, entitled "An act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracts; imposing duties on the Public Utility Commission and providing penalties," having been referred to the Committee on Corporations on April 20, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|---|---|---|---|
| Barr, Camel, DiSilvestro, Donolow, Hays, Kalman, | Lane, Mahady, McCreesh, McGinnis, McMenamin, Miller, | Mullin, Murray, Ripp, Rooney, Ruth, | Sarraf, Seyler, Silvert, Stiefel, Weiner, |
|---|---|---|---|

NAYS—28

| | | | |
|---|--|---|--|
| Berger, Blass, Chapman, Confair, Ehrgood, Elliott, Flack, | Fleming, Harney, Keller, Kessler Koprivier, Jr. Kromer, Madigan, | Mallery, Pechan, Propert, Scott, Shafer, Stevenson, Taylor, | Van Sant, Wade, Wagner, Walker, Watkins, Whalley, Wolfe, |
|---|--|---|--|

So the question was determined in the negative, and resolution was defeated.

TO DISCHARGE COMMITTEE ON LABOR AND INDUS- TRY FROM FURTHER CONSIDERATION OF **HB 112**

Mr. WEINER offered the following resolution, which was read as follows:

In the Senate, January 4, 1960.

Resolved, That House Bill No. 112, entitled "An Act amending 'The Pennsylvania Workmen's Compensation Act,' approved June 2, 1915 (P. L. 736) increasing liability for burial costs" having been referred to the Committee on Labor and Industry on July 28, 1959, and the committee not having reported the same to the Senate for a period of over ten days, the committee is discharged from further consideration thereof.

On the question,

Will the Senate adopt the resolution?

The yeas and nays were required by Mr. WEINER and Mr. BARR, and were as follows, viz:

YEAS—22

| | | | |
|---|---|---|---|
| Barr, Camel, DiSilvestro, Donolow, Hays, Kalman, | Lane, Mahady, McCreesh, McGinnis, McMenamin, Miller, | Mullin, Murray, Ripp, Rooney, Ruth, | Sarraf, Seyler, Silvert, Stiefel, Weiner, |
|---|---|---|---|

NAYS—28

| | | | |
|---|--|---|--|
| Berger, Blass, Chapman, Confair, Ehrgood, Elliott, Flack, | Fleming, Harney, Keller, Kessler Koprivier, Jr. Kromer, Madigan, | Mallery, Pechan, Propert, Scott, Shafer, Stevenson, Taylor, | Van Sant, Wade, Wagner, Walker, Watkins, Whalley, Wolfe, |
|---|--|---|--|

So the question was determined in the negative, and resolution was defeated.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. BLASS, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

CORONER IN AND FOR THE COUNTY OF ALLEGHENY

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph B. Dobbs, 3024 Paulowna Street, Pittsburgh, Allegheny County, for appointment as Coroner in and for the County of Allegheny, until the first Monday of January 1962, vice Hon. William D. McClelland, resigned.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS, FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA, COMPOSED OF THE COUNTY OF ALLEGHENY

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frederic G. Weir, 3318 Perrysville Avenue, Pittsburgh, Allegheny County, for appointment as Judge of the Court of Common Pleas of the Fifth Judicial District of Pennsylvania, composed of the County of Allegheny, until the first Monday of January 1962, vice Hon. Harry M. Montgomery, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

December 18, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Marvin L. Barry, Box 7, Lehighon, Carbon County, for

reappointment as Justice of the Peace in and for the Township of Franklin, Carbon County, to serve until the first Monday of January 1962, to compute from January 4, 1960.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
LAURELTON STATE VILLAGE

November 10, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Claude Charles, Port Trevorton, Snyder County, for appointment as a member of the Board of Trustees of Laurelton State Village, until the third Tuesday of January 1961, and until his successor is appointed and qualified, to fill a vacancy.

DAVID L. LAWRENCE.

JUDGE OF THE COURT OF COMMON PLEAS,
FORTY-FIFTH JUDICIAL DISTRICT OF
PENNSYLVANIA, COMPOSED OF THE COUNTY
OF LACKAWANNA

January 4, 1960.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William J. Nealon, 539 Hemlock Street, Scranton, Lackawanna County, for appointment as Judge of the Court of Common Pleas of the Forty-fifth Judicial District of Pennsylvania, composed of the County of Lackawanna, until the first Monday of January 1962, vice Hon. Michael J. Eagen, resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Hays, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Keller, | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Chapman, | Koprivier, Jr., | Propert, | Van Sant, |
| Confair, | Kromer, | Ripp, | Wade, |
| DiSilvestro, | Lane, | Rooney, | Wagner, |
| Donolow, | Madigan, | Ruth, | Walker, |
| Ehrgood, | Mahady, | Sarra, | Watkins, |
| Elliott, | Mallery, | Scott, | Weiner, |
| Flack, | McCreesh, | Seyler, | Whalley, |
| Fleming, | McGinnis, | Shafer, | Wolfe, |
| Harney, | McMenamin, | | |

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

REPORT OF COMMITTEE OF CONFERENCE

HB 1971—Mr. WEINER. Mr. President, I move that

the Senate adopt the Report of Committee of Conference on HB 1971, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.

Mr. SILVERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I oppose the adoption of this Conference Committee Report. I certainly do not want to go into the reasons for or against the bill, as we did that pretty thoroughly here a week ago. At that time, the Senate amended the original version of this House Bill, and sent it back to the House for concurrence. The amendment which the Senate placed into the bill was a small one, a minor amendment in words, but certainly major in operation in that it changed the effective date of the voting in the referendum from the primary election to the general election. The House refused to concur in that amendment and, as a consequence, Conference Committees were appointed to act on the part of the House and on the part of the Senate.

The President pro tempore appointed me as one of the conferees on the part of the Senate. The Members of the Senate will note that I did not sign the Conference Committee Report.

This is not, Mr. President, in my opinion, a Conference Committee Report at all. Certainly, a Committee of Conference is for the purpose of compromising, if possible, the differences arising between the two houses, and to see whether or not a compromise measure could come out.

That Conference Committee met. I, myself, made six different proposals to them in an effort to compromise, none of which were accepted by the other conferees. The Conference Committee Report was then drawn up in exactly the same form in which it passed the House. I would submit to you, Mr. President, that if that were the course we were going to take, certainly the Senate of Pennsylvania should have merely receded from its amendment placed in the bill when it came from the House, and passed the original House version. That we did not see fit to do. We now have this report before us today.

I can only say to you, Mr. President, that in all of my service in the Legislature of Pennsylvania, I have never seen a more obnoxious bill presented for this Legislature to approve or to reject. I say to you, Mr. President, that we are embarking on a path that we will long regret in Pennsylvania. I am unalterably opposed, as are many of the people of Pennsylvania, to any further liberalization of the liquor laws, or any further desecration of the Sabbath.

Certainly, we stand in a very peculiar position today in Pennsylvania when this Legislature, in this 1959 Session, approved legislation that did away with certain of the commercializations of the Sabbath Day whereby we closed down the so-called discount houses and those business places throughout Pennsylvania which did business on the Sabbath, and for which I believe the Legislature should be commended. Yet, here we find ourselves today doing that on one hand and, on the other hand, doing something which, in my opinion, is far worse. It is

only the opening door—the opening thrust, if you please—for the sale of liquor, not only in the hotels in Philadelphia and Pittsburgh but for the sale of liquor in the hotels in all of the counties of Pennsylvania. It is the opening wedge, if you please, for the sale of liquor in all establishments in Pennsylvania.

I cannot imagine, Mr. President, any retail dealer in liquor being satished with discrimination against him, whereby we say the hotels in the two large cities may sell liquor on Sunday, yet he cannot do it in his place of business. Understand, Mr. President, and so there is no misunderstanding, I am opposed to both of them selling liquor on Sunday. Certainly, this bill shows rank discrimination between the various types of outlets for liquor in this great Commonwealth of ours.

I would suggest to those of you who come from the other class counties, other than those counties of the first and second class, to think long and hard before you cast your vote for this measure, because if this passes there is no question that in the 1961 Session, there will be a general move afoot to open this for the hotels in all of Pennsylvania; and if that would be successful, in the following Session of the Legislature to open it up for all of the liquor establishments in Pennsylvania. Certainly, we have not come to the point when we cannot still observe the Sabbath Day. I think this would be a great blow to Pennsylvania and to the people of Pennsylvania if this were to be passed. I would urge all of my colleagues in the Senate of Pennsylvania to vote "no" on this measure.

In conclusion, Mr. President, may I respectfully ask of you, sir, that you instruct the Clerk, when he calls the roll, that only those people answering to their names be recorded?

Mr. WEINER. Mr. President and Members of the Senate, this has been a rather interesting issue from the point of view that the basic problem involved in economics. Not being able to attack it on that basis, it has become what is known as a moral issue. I do not believe that this is the problem basically. I think what we have to look at is the realistic situation as it exists. We have the city of Philadelphia and the city of Pittsburgh as islands in a sea, filled with economic advantages which are not available to these two communities. If these two communities die or wither, what is going to happen to the rest of the State? What will happen to vast areas which are not able to support themselves and which look to these two cities and the people living in them to provide the tax money that they need? This is the consideration.

In the city of Philadelphia, at 11 o'clock p.m., on Saturday, most of the traffic goes across the bridge over into New Jersey. This is money that is being taken from the city of Philadelphia. If it were a moral issue, if that were the problem, I would tell you to block off the Delaware River Bridge or the Benjamin Franklin Bridge, if you please, and the Walt Whitman Bridge, and contain your people in this area so that the moral atmosphere which you are trying to maintain is available. However, I think any other type of attitude is certainly one which is hypocritical and one which buries your head in the sand, because people will just not come to Philadelphia and Pittsburgh. They will go out of the State into Ohio and out of Philadelphia into New Jersey.

They go up into New York and all of the areas close by where our highways take them.

You are saying this is a moral climate which we want to keep. The people who want to be moral will be moral regardless of what you have. This is plainly and simply a method of bringing convention business to both of those cities. Our passage of this bill does not guarantee that this measure will go through. All you are saying is that the people in these communities have the right of self-determination, because that is what referenda usually do. They allow the people to determine for themselves what they want to do by putting the matter to a vote. What could be more democratic than that form of determination?

Should we here, as a small group, not fully representing the area, decide for the area whether they should or should not have this? If the people in Allegheny County or Pittsburgh do not want this, they may simply vote against it and that is the end of the problem. The same thing is true of the city of Philadelphia.

There are many measures that appear on the ballot which do not always pass. There are many candidates who are nominated and who never get elected. The big problem facing us is merely allowing the people in these communities to decide for themselves. Anyone else who wants to do it, I think should have the right to decide for themselves to do so. I think to put this on a moral basis is certainly not facing the realistic situation as it exists, because this will bring in a great deal of convention money. It will also provide jobs for people in the cities of Philadelphia and Pittsburgh who do not now have jobs. I would much rather see these people work on Sunday, than for you and I to go on supporting them because they are unable to find employment anywhere. That is a duty that we owe to the people of this Commonwealth. I think it is a duty for them to decide what they themselves want.

I do not want to stand here and say that the city of Williamsport or any other area should not be able to do what is best for them or what they consider best for them. I think that all that is involved here. You are voting here as to whether the people of Philadelphia and the people of Pittsburgh shall decide for themselves what they want to do in this matter.

It may be that the referendum will be defeated. Perhaps the people will think like you do, Senator Fleming, that it is a moral issue, and will not want to vote in favor of this measure. That will be the end of the problem.

I am neither advocating nor not advocating this bill or the problem that you present. However, I think we cannot say we are not going to allow these people an opportunity to decide for themselves.

The PRESIDENT. The Chair would appreciate a conference with Senator Weiner and Senator Fleming.

The Senate will be at ease a few moments.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT. The Clerk will call the roll and only those answering to their names will have their votes recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Barr,
Blass,
Camel,
DiSilvestro,
Donolow,
Ehrgood,
Flack,

Kalman,
Keller,
Koprivier, Jr.
Lane,
Mahady,
McCreesh,
McGinnis,

McMenamin,
Mullin,
Murray,
Ripp,
Rooney,
Ruth,
Scott,

Seyler,
Silvert,
Stiefel,
Van Sant,
Wade,
Weiner,

NAYS—19

Berger,
Chapman,
Confair,
Elliott,
Fleming,

Harney,
Hays,
Kromer,
Madigan,
Mallery,

Miller,
Pechan,
Propert,
Shafer,
Stevenson,

Wagner,
Walker,
Whalley,
Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

HB 317—Read at length the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. McMENAMIN. Mr. President, I had hoped that this bill died with the year 1959, last month. At the risk of being a little repetitious, I do want to say just a few words in addition to what I said when the bill was defeated on Third Reading about three weeks ago.

Mr. President, the night that I spoke previously on this bill, I mentioned two or three reasons why we should vote against it. I would like to mention just two today, and those but briefly.

Mr. President, I said that the bill was premature because under this legislation, even if it passes, Pennsylvania not any other State will not get any money from the Federal Government before 1961.

On the last day of this legislative Session, we are hastily, I believe, considering a very vital and major measure. We have all of the first six months of 1961 to consider such legislation in an orderly fashion when we come back to our next Regular Session. Since the night that I made these remarks, there has been additional evidence presented to readers of newspapers throughout the Country as a result of certain hearings held in Washington on the Federal Highway Program, which highlights the fact that the bill is premature and we may never get any money from the Federal Government as promised by legislation at the last Session of Congress.

The most Pennsylvania could hope to get would be \$10,000,000 over a period of thirteen years, provided Congress lives up to the commitments expressed in legislation a year ago.

Let me read just a portion of an editorial which appeared in the Wall Street Journal on Tuesday, December 29, 1959, under the heading of "Warning—Icy Road."

"That the Federal highway program is in a bad way is not exactly news. But just how badly the Government has got tangled up in its costly road network is plainly shown in an exchange of letters, made public last week, between Senator Byrd and Commerce Secretary Mueller.

"First consider some of the points made by Mr. Byrd, a highway expert of fifty years' standing:

"The highway project's 90-10 matching formula, by which the Federal Government puts up \$90 for every \$10 supplied by the states, is an open invitation to extravagance and worse. It encourages wasteful design and corruption. On the the latter point the Senator notes that Witnesses took the Fifth Amendments more than 200 times in Senate hearings on land grabbing on only a few projects in one state . . .

"In fine," say the Senator, 'our great highway programs were never before precipitated into such an inexcusable mess. The trust fund was broke and the integrity of the Federal Government was impaired. State highway programs all over the country were seriously disrupted and threatened with chaos.'

"And Secretary of Commerce Mueller, for his part, concurs that during the past year 'our main problem was to get out from under the chaos' resulting from the suspension of the pay-as-we-go policy.

"Mr. Mueller also goes further back into the history of the program to reveal some of the basic troubles. He writes: 'The most serious deficiency in the 1956 Highway Act is the lack of an adequate financial structure for the augmented highway construction effort. The revenue structure thrown together in 1956 has not been adequate to carry us through even this initial period,' even without the added difficulties created by last year's Congressional action."

Mr. President, when two of the leading people in Washington, who are familiar with the highway building program, agree that it is in serious financial difficulty, I say that merely highlights my previous statement that Pennsylvania, accepting this part of the Federal program at this Session of the Legislature, is acting prematurely.

Mr. President, I also, last month, remarked that I thought it was a further extension of the Federal Government's encroachment on States' rights. I believe my good friend and distinguished colleague, Senator Arthur Blass of Erie, was ill and not able to be present that night. I know that he has long championed the right of the States and the peoples in the States to determine their own destiny. Therefore, I would like to say for him, and to review for all of us, what has happened in recent years.

The Federal Government has moved into a great portion of the activities of the States to the point where there is some danger or some reason to fear that State Government may wither on the vine. The Federal Government is into the fields of unemployment compensation and various other matters of that type involving labor, to the point where we in the Legislatures of the United States must draw bills in conformity with the former acts laid down by Congress, so that our own initiative, our actions and our rights to act are severely limited.

The United States Supreme Court in recent years has taken State Government out of such fields as censorship and anti-sedition laws. Now here, for the first time, the Federal Government is coming into Pennsylvania, or any other State which accepts this program, in an effort to regulate a particular industry, the billboard industry, and is getting the right of eminent domain on over a million acres of Pennsylvania land.

I say that someday somebody, somewhere, has to say "no" to further encroachment by the Federal Government on the proper rights and jurisdictions of State Governments.

No Mr. President, I think that we here can do it today by voting "no" on this bill.

We admit that there is a problem with billboards. There are a great many decent citizens who are interested in trying to cure "billboard alleys," as they are called, where we see outside of our cities a great concentration of billboards to the point where scenic beauty is marred. However, let us do it the right way. Let us, as State Legislators, pass a law that would control sensibly billboards on every highway in Pennsylvania, and not just on those which are a portion of the Federal Road Program.

Mr. President and Members of the Senate, let us today refuse to take the bait offered by the Federal Government, and, as many other States have done, vote down this legislation.

Mr. WEINER. Mr. President and Members of the Senate, I hate to be in a position where I have to talk on every piece of legislation before us. However, because we are down to the end of the line, I feel that this is important legislation which we cannot let go by.

We must have our program formulated by June of this year in order to participate in the Federal funds which will be available in 1961. In order for us to do that, we must pass this piece of legislation today. This is the last opportunity we will have to do so. This measure has been advocated in both Party Platforms. I think a State, or any individual, who will obtain ninety dollars help for every ten dollars they put forth on their own local effort and turns down that help, or walks away from it, is making a gross error. I think there is nothing wrong in our having fine, unfettered highways.

Take for example the European Country of Switzerland. I do not think that you will see many large billboards running up and down that area. Might I respectfully point out to the gentlemen of this Body that the tourist business of this State and of this Country is greater than the number of people employed by the billboard industry? I have no lack of affection for the billboard people. I think they serve a very useful purpose. I have no lack of affection for the people who might be hurt by this bill. However, I think the bill, as it is written, now takes care of those particular problems that present themselves to us. I think that we should be in favor of this measure, because it helps our State, not only in keeping it beautiful but also in keeping the green landscape available to the peoples' sight. What good is our planning of large highways, large landscaping and general planning, if this is all going to be marred and marked before it is even completed? That is the reason we have zoning programs. That is the reason we have in our different municipalities, townships and boroughs an attitude toward keeping the rear in a certain sight and in a certain way. This would help that program.

I, therefore, ask my colleagues, in furtherance of the Administration's program—and I know that many gentleman on the other side favor this measure—to vote "aye" on this measure so that the State of Pennsylvania will be among those States that will be able to take advantage of the Federal moneys provided and of the opportunities granted to us.

Mr. BLASS. Mr. President, I do not want to take too much of the time of the Senate on this occasion. However, I want to second the remarks made by our very dis-

tinguished colleague on the other side, Senator McMenamin.

Time after time, I have spoken against encroachment either by the Federal Government, the State Government or any other municipal government on the rights of the individual or the rights of the property owner. I just want to say this word; that I am voting "no" on this bill because I want to see liberty maintained in this Country, for which there is no substitute.

Mr. WADE. Mr. President, when we previously considered House Bill No. 317, Printer's No. 2099, I pointed out that a letter was written on December 14, 1959, to Mr. Roy Schafer, who favors us with his presence here today, the Legislative Secretary to Governor Lawrence, and signed by Mr. J. R. Rezzolla. Some criticism was made after I read the letter and, therefore, I will not attempt to again read it. I do not think it is necessary.

I do want to point out to Senator Weiner and his Democratic colleagues, who have talked so long and so much about the bonus for which we might qualify from the Federal Government, and which Senator McMenamin has pointed out so ably is not in the offing at all—no State has ever received one single penny in bonus—that this bonus is not ten per cent, but it is one-half of one per cent. If we would qualify, the money has to be appropriated from the trust fund, which must be appropriated to the Federal Government from the General Fund, and which must be appropriated out of the trust fund into this special fund, according to Federal legislation, before any State can qualify for one penny.

As Senator McMenamin has so ably pointed out, the Highway Trust Fund is practically defunct. There is no money in it. We have read in the press of the long history of trying to raise funds in order to meet the obligations to the individual States. Now we are held out this bait, one-half of one per cent, which amounts to, as Senator Van Sant pointed out several days ago, a total of sufficient money to build less than five miles of road.

I return to this letter, dated December 14, 1959, written to Mr. Roy Schafer, from the Chief Counsel of the Highways Department, Mr. John R. Rezzolla. In it, he pointed out that in a conference held on December 11, 1959, with Mr. May, Counsel for the Federal Bureau of Public Roads, it was stated that this bill, House Bill No. 317, Printer's No. 2099, would not qualify Pennsylvania for a single penny of bonus if any were to be paid. Therefore, we certainly should not try to fool anybody, or fool ourselves, by voting for this bill in its present form.

Mr. Rezzolla further pointed out to Mr. Schafer that he was preparing amendments and would furnish them to the Democratic side of the house, which might be inserted into this bill, so that it would have a chance of qualifying for that bonus.

Mr. WEINER. Mr. President, I believe the gentleman who just spoke forgot to mention—and I am sure it was through inadvertence rather than by design—that he was among those who helped amend this bill as it came from his committee. He can very easily take care of that problem of the amendment to put the money back for the Federal funds, and I will be most happy to help him do so. However, I am afraid that this would, according to the Majority Leader, whose word I am very happy to take, help deter this bill from passing at all, and I would

not want to see that happen. I am sure he would not either, despite his public expression here.

I think this measure is important to us. It means millions of dollars to our State. The farmer is not going to be hurt by it, and I can very happily demonstrate that to anyone who would like to have me do so. I can point this out under the bill.

I would like to point out to the gentleman from Erie that wherever the general good of all of the people is concerned, I am afraid, Senator, that the individual right may have to step aside, or at least be moved aside partially. That is not a deprivation of anyone's liberty. However, I think all of us are interested in the greatest good for the greatest number, and the greatest number of people here would prevail under this measure.

I am asking my colleagues to vote "aye" to support not only a Democratic Platform Pledge, but one made in the Republican Platform as well. I, therefore, ask my colleagues on both sides of the aisle to support this measure.

Mr. WADE. Mr. President, may I briefly point out to the gentleman who just spoke, our distinguished Minority Leader, Senator Weiner, that the Highways Committee of this Body lost possession of this bill on December 9, 1959, and that I, personally, have offered no amendments to the bill since that time? The letter, to which I referred, was dated December 14, 1959. Amendments were put into the bill in the Highways Committee by the committee. However, after that time, a conference was held in Washington with Mr. May, Mr. Rezzolla and Mr. Shane Creamer, who I believe also favors us with his presence today, and amendments were then suggested. These amendments have not been offered by the Democratic side of the Senate or by Senator Weiner or anyone else in this Body.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Senator, if I were to offer these amendments now, would you support them?

Mr. WADE. Yes, I would be glad to vote for the amendments.

Mr. WEINER. Would you support the entire measure?

Mr. WADE. That is a matter to be decided later. I do not think that we should pledge our votes beforehand until we read the bill with the amendments in it.

Mr. WEINER. Mr. President, I want to thank the gentleman. He has answered my question.

Mr. MALLERY. Mr. President, I would vote for a bill to fairly regulate billboards. I come from rural Pennsylvania, and the farmers in my area—a great many of them from whom I have heard—are opposed to it. Therefore, I intend to vote against the bill in its present form.

Mr. WEINER. Mr. President, I do not want to take an undue length of time on this measure. However, I would like to refer the Senator to the measure itself. I believe the gentlemen who wrote him might be misinformed, because I can state from a letter from the Department of Highways, in answer to this problem, as well as from the measure itself, which indicates that the farmer will be protected not only from deprivation of the right of the use of his land, but it would be the same as any

eminent domain or condemnation proceeding, if this were to take place.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barr,
Berger,
Confair,
DiSilvestro,
Ehrgood,
Elliott,
Fleming,
Harney,

Hays,
Kalman,
Lane,
Mahady,
McCreesh,
McGinnis,
Mullin,

Murray,
Pechan,
Probert,
Ripp,
Rooney,
Scott,
Seyler,

Shafer,
Silver,
Stevenson,
Stiefel,
Wagner,
Watkins,
Weiner,

NAYS—17

Blass,
Camiel,
Chapman,
Donolow,
Flack,

Keller,
Kromer,
Madigan,
Mallery,

McMenamin,
Ruth,
Taylor,
Van Sant,

Wade,
Walker,
Whalley,
Wolfe,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HB 2423

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, January 4, 1960.

Resolved (if the Senate concur), That **HB 2423**, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

He also informed the Senate that the House has adopted Report of Committee of Conference on **HB 1980**.

HB 1980 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1980**, and received unanimous consent for its immediate consideration.

REPORT OF COMMITTEE OF CONFERENCE ADOPTED

Mr. BERGER. Mr. President, I move that the Senate adopt the Report of Committee of Conference on **HB 1980**, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the marking and counting of ballots.

Mr. BLASS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate, **SB 1030**, with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 63**.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 1030** and **HB 63**.

REPORT OF COMMITTEE OF CONFERENCE

Mr. VAN SANT submitted the Report of Committee of Conference on **HB 1616**, which was laid on the table.

STATEMENT BY THE CHAIR

The PRESIDENT. The Chair wishes to advise the Members of the Senate that our good Librarian, Charles Lathero, is doing very well.

THIRD READING CALENDAR

BILLS ON THIRD READING

HB 866—Read at length the third time and agreed to,
On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camiel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2016—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DiSILVESTRO. Mr. President, this bill smells to the high heavens. There has been a mysterious hand working around this Capitol in the last two years. I do not know whose child it is; it is too vague. However, I am very suspicious of this bill. I think our Secretary of Welfare can take care of anything such as this which might arise in Pennsylvania.

This looks like a pinch bill to me, and everyone knows what a pinch bill is. There has been too much pinching around this Hill. There have been nominations made and appointments made that were born out of foreign intrigue. I think they use some people who either play innocent or know what they are doing. Therefore, I am against this bill.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, just to show what the powers of persuasion may do, I now move that House Bill No. 2016, Printer's No. 2113, be dropped from the Calendar.

Mr. DiSILVESTRO. Mr. President, I second the motion.
On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, let us not be too fast on the "yeas" and "nays" here.

Mr. President, we seem to be having a little fun with this bill. Actually, I want you to know that in my opinion this is a very important piece of legislation. I think before the Majority Leader moved to drop it from the Calendar, we should have called it up for debate, discussed it in detail and then voted the bill down if that is the wish of the Members of the Senate. We have a juvenile problem in Pennsylvania. We have had it for years and, as the years go by, we are going to have a greater problem with juveniles.

I do believe that the sponsors of this legislation were very sincere in their approach. The bill passed the House by a nice majority. It seems to me that this Senate should not ignore this most important and most grave problem at the end of this Session. I do not think it is a very good business on the part of the Senate to arbitrarily drop this bill from the Calendar.

Mr. DiSILVESTRO. Mr. President, when the new Session convenes tomorrow, I will be only too glad to explain any kind of legislation which smells like this bill.

I say again—and I will prove it anytime—that there have been appointments made around this Capitol for the last five or six years which follow the European technique.

I will be more specific when the time comes.

Mr. SEYLER. Mr. President, if debate is in order on this bill, I would like to state that I believe the gentleman from Washington was correct in saying that the sponsors of this bill had a good purpose in mind. He certainly was correct in saying that the juvenile problem

is one of importance. However, Mr. President, I think we should oppose this bill and I think it is a good move to drop it from the Calendar, because I believe we have here a bill which duplicates existing agencies.

At present, we have working as a going concern, and doing a good job, a commission which deals with these specific problems and which has almost identical functions to those proposed in this bill. I certainly do not mind myself, but because of the importance of the problem, I think it is a poor way to proceed by setting up two agencies which cover the same problem. I think only chaos could result. Certainly, the expenditure of money as authorized by this bill would not be warranted because we already have an able, working agency in this area, which has an appropriation for that purpose.

Therefore, Mr. President, in spite of the fact that I would agree that the sponsors were well-intentioned and that the problem is important, I do not believe the bill is necessary because of the existence of a prior agency which is doing a good job.

Mr. STIEFEL. Mr. President, tomorrow at 11:30 a.m., I will have to strike a balance on my work during the preceding year. There is no doubt that one of my outstanding experiences, from which I benefited, was working on the Pechan Committee. The Pechan Committee was a very important committee. Although I did not sign the report, nevertheless, I benefited from Doctor Pechan's tutelage, in co-operation with Senator Shafer, and from study of the Department of Welfare.

I came to the conclusion that in the person of Mrs. Ruth Horting, we have a marvelous administrator, and I pay her homage. The only way I can pay homage is to say that this is a duplication. She is capable of coping with the situation and we do not need it.

Mr. WATKINS. Mr. President, I do not wish to debate the merits of this bill. However, I would like to call to the attention of my good friend, Senator Lane, that we passed Senate Bill No. 725, and which was signed by the Governor. I am advised that this type of legislation would defeat the purpose of the bill which the Governor has already signed.

If my understanding of the bill is correct, nine judges are going to set up a commission to make a study of the juvenile delinquency problem and what have you. Therefore, I would like to call to the Senator's attention that regardless of whether the merits of this bill are good, it would certainly kill the intentions of the other bill, and the thoughts, I think, of the Governor in proceeding against juvenile delinquency. Therefore, this Foundation would not be necessary.

Mr. WEINER. Mr. President, I find that for the first time in this Session, I am in agreement with the gentleman from Delaware County. This is a rare day. However, what he says is absolutely correct. He may have received a letter from the department the same as I did, which stated this very fact that they, in the department, do not feel they would like to administer this agency at this

time. They feel maybe at some future date they would like to get into this problem, but not at this moment, due to the lack of funds and the fact that they already have in the Public Welfare Department an arm handling this very problem.

Mr. LANE. Mr. President, we can all voice our opinions. However, I thought that the Members of the Senate operated for the best interests of all of the people. We should not be servants of the various departments and bureaus of government.

I might say, also, Mr. President, that I have read this bill in detail. It passed the House by a vote of 147 to 3. In going over the legislation, I think it is very laudable, indeed. If this legislation should nullify the passage of Senate Bill No. 725, which I am informed has passed and is now Act 717, I still say that this is very good legislation, and I will be happy to sponsor such a bill in the next Session.

Mr. DiSILVESTRO. Mr. President, I say again that the language is beautiful. We have heard a lot of expression for youth centers and so forth in the past, and we found ourselves with a sneak attack.

You may wonder what I mean by this and you may think that it is farfetched, but I can explain it and I will explain it before any committee and on the Senate floor at the proper time.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the bill was dropped from the Calendar.

HB 2286—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 2413—Upon motion of Mr. BERGER, seconded by Mr. TAYLOR, and agreed to, the bill was dropped from the Calendar.

RECESS

Mr. BERGER. Mr. President, I request a half-hour recess of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a half-hour recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

ADJOURNMENT

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, January, 5, 1960, at 10:30 o'clock a.m.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:10 o'clock p.m.

HOUSE OF REPRESENTATIVES

MONDAY, January 4, 1960.

The House met at 12:00 noon EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father in Heaven, to Whom we look for the guidance and council we need to live our lives to the fullest: We are aware that another calendar year has passed and a new year has begun; and as we look back, we are conscious that many of the goals and aims have not been fulfilled; but we pray that Thou wilt bless the feeble efforts we have expended, and use our accomplishments to Thy honor and glory. In the closing hours of this Legislative Session, we humbly pray Thy guidance and counsel may be the cherished treasure of each one of us; and may the light of Thy truth ever shine within our hearts and lives. In thy precious name, we pray. Amen.

JOURNALS APPROVED

The SPEAKER. If there are no objections and subject to correction on questions of personal privilege at a later date, the following journals will be approved: Monday, November 30, Tuesday, December 1, Wednesday, December 2, Monday, December 7, Tuesday, December 8, Wednesday, December 9, Monday, December 14, Tuesday, December 15, Wednesday, December 16, Thursday, December 17, and Friday, December 18, 1959.

The Chair hears none.

RESIGNATIONS

The SPEAKER laid before the House the following communications which were read as follows:

January 4, 1960.

The Honorable Hiram G. Andrews
Speaker
House of Representatives
Harrisburg, Pennna.
Dear Mr. Speaker:

This is to advise you that I have been elected Councilman-at-Large in Philadelphia, and therefore am tendering my resignation as a member of the House of Representatives, to become effective on January 4, 1960.

I will always remember my associations in the House of Representatives, together with the many pleasant memories which I will always cherish.

My kindest regards and best wishes to you, the members and officers of the House of Representatives.

Sincerely,
/s/ Mary
Mary A. Varallo

December 18, 1959.

The Honorable Hiram G. Andrews
Speaker, House of Representatives
Harrisburg, Pennsylvania
Dear Mr. Speaker:

In order for me to take my oath of office to my newly elected position as a magistrate in the City of Philadelphia it has become necessary for me to offer my resignation as a Member of the House of

Representatives, from the thirtieth Legislative District, effective January 4th, 1960.

Respectfully yours,
Ralph M. Dennis

The SPEAKER. The Chair has a number of bills to sign and requests the gentleman from Cambria to preside temporarily.

Mr. LOPRESTI IN THE CHAIR

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1980.

Mr. STONE. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1980.

The SPEAKER pro tempore. This report has been printed and is on the Members' desks. It will be taken up under the proper order of business.

The House will be at ease.

Mr. HELM IN THE CHAIR

RESOLUTION

CONDOLENCE

Mr. PARLANTE asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, January 4, 1960.

On December 3, 1959, Abraham M. Sigman, a former member of the House of Representatives, passed away at the age of 54.

Mr. Sigman capably represented the Second District of Philadelphia County from 1954 to 1956.

A graduate of Philadelphia Public Schools, South Philadelphia High School, The University of Pennsylvania and Temple University School of Law, Mr. Sigman, an attorney-at-law by profession, served the Commonwealth as counsel for the Department of Banking from 1939 to 1945. He also served as a Special Deputy Attorney General in the Escheat Division from 1958 to the time of his death.

The death of Attorney Abraham N. Sigman was a great loss to us. His contributions to the advancement and well-being of our Commonwealth and our pleasant association with him will long be remembered; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania expresses its condolence to the survivors of Mr. Sigman; his wife, the former Ida Freedman, his daughter Renee, his son Gerson, and his brother Joseph; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House to his widow, Ida F. Sigman, at her home in Philadelphia.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 900.

An Act amending the "County Institution District Law" approved June 24, 1937 (P. L. 2017) including neglected children within the powers and duties of the local authorities.

HOUSE BILL No. 1508.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private

and parochial schools amending revising consolidating and changing the laws relating thereto" providing for the use of moneys in the State School Fund of Pennsylvania for assisting public school districts and State Teachers' Colleges to comply with required safety standards in certain cases conferring powers and imposing duties upon the State Council of Education the Auditor General the Superintendent of Public Instruction and the Secretary of Labor and Industry and making an appropriation.

HOUSE BILL No. 1675.

An Act amending "The Vehicle Code," approved April 29, 1959 (Act No. 32) authorizing the erection of "yield right-of-way" signs describing the duties of operators thereat prohibiting the designation of 4-way stop and other multi-way stop intersections and providing a penalty for the violation thereof.

HOUSE BILL No. 2150.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing the levy and collection of an additional tax for municipal improvement to lands and buildings damaged by subsidence.

HOUSE BILL No. 2170.

An Act to provide for the better protection of the health general welfare and property of people of the Commonwealth by the control abatement reduction and prevention of the pollution of the air by smokes dusts fumes gases odors mists vapors pollens and similar matter or any combination thereof creating within the Department of Health an Air Pollution Control Commission and defining its powers * * * and providing an appropriation therefor.

HOUSE BILL No. 2420.

An Act amending the act of May 28, 1937 (P. L. 1019) entitled "Statutory Construction Act" changing the provisions relating to the effective date of certain laws.

HOUSE BILL No. 2423.

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council INC Boy Scouts of America.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Following the present conference we would like to make arrangements for respective party caucuses and also for lunch.

Mr. Speaker, by permission of this House, I will ask for a recess until 2:30 p.m. and state that the Democratic Members of the House will meet at a quarter to two in the new House caucus room for the purpose of a Democrat caucus.

We are receiving during this period messages from the Senate. We have at the present time a series of conference committees that are now in session. House Bill 1108, House Bill 2459, the highway bill, House Bill 1616, and I believe a conference committee on House Bill 1344.

We hope as the day goes by these conference Committees will either submit their conference committee reports to the House, or notify us officially that no report will be presented as they cannot agree, whichever the case may be.

Therefore, Mr. Speaker, at the proper time, after the Minority Leader has given his notice officially to his Members, I will ask for a recess until 2:30 today.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I believe the schedule of calling the caucus for a quarter to two is all right with us on this side of the House. We should also like to caucus at a quarter to two. That will mean approximately thirty or forty minutes for lunch. Then we would caucus until a quarter after two if that will be all right—about a half hour.

I might say this, the important thing really to come before our caucus would be any disposition of House Bill 1108 and it is conceivable that the conference committee will not be ready to report at that time. If they do report after we come back after our caucus we will probably ask for another caucus on that piece of legislation.

REPORT FROM JOINT STATE GOVERNMENT COMMISSION

PENNSYLVANIA HIGH SCHOOL SENIORS, 1958

Mrs. MARKLEY presented the report of the Joint State Government Commission which was read as follows:

In the House of Representatives, January 4, 1960.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith A Report of the Joint State Government Commission, 1959, dealing with Pennsylvania High School Seniors, 1958: Their Mental Ability, Their Aspirations, Their Post-High School Activities, A Technical Supplement.

Copies of this report have been mailed to members of the House of Representatives.

Respectfully submitted,
Baker Royer
Chairman

Mr. McCANN. Mr. Speaker, I ask that all the Democrat Members bring with them their House calendars when they come to the caucus today.

I am a little disturbed by the report that one of the conference committee members has been given me about House Bill 2459. For the purpose of the caucus I think they should know that Senator Kessler has sent a letter stating that he is in the hospital and cannot attend the highway conference. Senator Wade informs our Members that he does not know whether he can attend since Senator Kessler cannot attend, and that they are in Session and that he possibly cannot attend. If that is so, there are only a few more hours left until noon tomorrow and it looks like there may not be any highway conference committee report.

I am urging that the Republican leadership make sure during this recess that they contact the leadership in the Senate, and if Senator Kessler who is ill in the hospital cannot attend evidently arrangements be made for a conference committee meeting on the important highway packages.

Mr. A. W. JOHNSON. Mr. Speaker, I appreciate what the Majority Leader had to say about House Bill 2459.

I would like to say something about House Bill 1344. The present law requires a notice in all deeds where there

has been a separation of the fees simple and the minerals. I understand there is a refusal on the other side of the House to even call a meeting of that conference committee and there is a validating clause in that bill which must go in, because that law has invalidated titles all over Pennsylvania. It is imperative that we get a validating clause. I think you had better give consideration to that bill and we will see what we can do on the other bill.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess until 2:30 p. m.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Willaredt for Mr. STECKEL for today because of illness.

Mr. Willaredt for Mr. DONALDSON for the week because of illness.

Mr. Willaredt for Mr. KUBITSKY for the week.

Mr. Willaredt for Mr. BUCHANAN for the week.

Mr. Willaredt for Mr. BRENNINGER for today.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1030, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore County of Revenue and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

| | | | |
|------------|-------------------|--------------------|------------|
| Anderson, | Galley, | McInroy, | Royer, |
| Arlene, | Gallagher, | McKeever, | Rudiell, |
| Ashton, | Garlock, | McLaughlin, | Sakulsky, |
| Auker, | Gelfand, | Machmer, | Scarcell, |
| Balthaser, | Goldstein, J. H., | Magee, | Schaaf, |
| Barton, | Goldstein, M. H., | Mahan, | Schuster, |
| Blair, | Goodrich, | Markley, | Schwartz, |
| Boies, | Gramlich, | Maxwell, | Seltzer, |
| Bonner, | Guthrie, | Meholchick, | Shupnik, |
| Bower, | Hamilton, | Merry, | Silverman, |
| Bowman, | Haudenschild, | Mihm, | Snare, |
| Branca, | Helm, | Miller, B. Z., | Snider, |
| Breth, | Hocker, | Miller, H. G., | Stank, |
| Brown, | Holliday, | Mills, | Stevens, |
| Burns, | Horst, | Muldowney, | Stewart, |
| Capano, | Irvis, | Mullen, | Stummel, |
| Capitolo, | Isaacs, | Munley, | Stone, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr. | Stoner, |
| Cioffi, | Jim, | Murphy, P. J., | Stroup, |
| Clarke, | Johnson, A. W., | Murray, H. P., | Sullivan, |
| Comer, | Johnson, R., | Murray, J. J., | Taylor, |
| Crossin, | Jump, | Musto, | Thompson, |

| | | | |
|------------|-------------|------------------|-----------------------|
| Curwood, | Kamyk, | Naugle, | Tompkins, |
| Davis, | Kee, | Needham, | Trusio, |
| Dennison, | Kelser, | Nelson, | Ujobal, |
| Devlin, | Kernaghan, | O'Dell, | Varnar, |
| Donahue, | Kessler, | O'Donnell, J. P. | Verona, |
| Dougherty, | Knecht, | Oglivie, | Wall, |
| Down, | Kooker, | O'Neil, | Walsh, |
| Edwards, | Kornick, | Parlante, | Wargo, |
| Ellberg, | Korna, | Pashley, | Weldner, |
| Eshback, | Kovolenko, | Perry, H. H., | Welsh, |
| Eshleman, | Lamb, | Perry, P. E., | Weecott, |
| Ewing, | Lee, A. M., | Petrosky, | Wheeler, |
| Farabaugh, | Lee, K. B., | Polaski, | Whittaker, |
| Fetterolf, | Leonard, | Polen, | Williams, A. D., Jr., |
| Filo, | Light, | Prendergast, | Williams, E. S., |
| Fineman, | Limper, | Price, | Willard, |
| Floyd, | Lippincott, | Pursley, | Willaredt, |
| Flynn, | Lopresti, | Reibman, | Wood, |
| Foerster, | Luigard, | Reidenbach, | Worley, |
| Fox, | Lutty, | Renwick, | Yatron, |
| Frank, | McCandless, | Rigby, | Yetter, |
| Frascella, | McCann, | Riley, | Zimmerman, |
| Fulmer, | McDonald, | Rovanse, | Andrews, |
| | | | Speaker |

NAYS—0

NOT VOTING—30

| | | | |
|-------------|------------|------------------|-------------------|
| Agnew, | Donaldson, | Jones, F. R., | O'Donnell, J. A., |
| Bell, | George, | Jones, T. H. W., | Odorisio, |
| Boris, | Gibb, | Kubitsky, | Sherman, |
| Brenninger, | Heavey, | McCormack, | Steckel, |
| Buchanan, | Heffner, | Monroe, | Strausser, |
| Cooper, | Henzel, | Moran, | Wilt, |
| Dengler, | Holt, | Murray, P. G., | Wynd, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 63.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "An Act consolidating and revising the vehicle code the tractor code the motor vehicle financial responsibility act and other acts relating to the ownership possession and use of vehicles and tracktors" prohibiting physical endurance contests and race or speed contests including commonly including those known as drag races on highways and prohibiting local authorities from establishing or maintaining roads highways or other property for such purposes and providing penalties and suspension of operating privileges.

With the information that the Senate had passed the same with amendments, in which concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the Amendments.

The Clerk read the amendments as follows:

Amend Title, page 1, line 5, by striking out after the word "prohibiting" the words "physical endurance contests and"; page 1, line 6, by striking out after the word "contests" the words "including commonly" and inserting in lieu thereof the words "including those known as"; page 1, line 7, by striking out after the word "highways" the words "and prohibiting local authorities from establishing or maintaining roads highways or other property for such purposes;" Section 3, page 3, line 1, by striking out at the beginning of the line the words "physical endurance

contest race or" and by inserting after the second word "contest" the words "including those;" page 3, line 2, by striking out the first two words "including those" and by striking out after the word "as" the words "a drag race;" page 3, line 3, by striking out the first two words "drag races;" page 3, line 5, by inserting after the word "of" the words "elapsed time superior performance or" and by striking out immediately thereafter the words "elapsed time superior performance or" and by adding immediately thereafter the word "speed;" Section 4, page 3, line 12, by striking out the following:

Section 4 Subsection (a) of section 1103 of the act is amended to read"

Section 1103 Powers of local authorities;

(A) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles except that parking meters shall not be installed at entrance to theaters hotels motion picture theatres or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points in the city to points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

"Provided however that any regulations of the kinds and classes of traffic on state highway routes within cities shall be subject to the approval of the secretary of highways first had and obtained

"Local authorities may designate any highways or any part of a highway under their jurisdiction a "play highway" and may close such designated highway to general traffic where interference to traffic will not be serious Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic

"Local authorities shall have no power or authority to establish or maintain any section of road or highway or any other realty possessed by the political subdivision for the purpose of allowing the operation of motor vehicles in physical endurance contests or in race or speed contests including those commonly known as drag races"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. LIPPINCOTT. Mr. Speaker, I did not intend to be recognized on this bill. I think this bill, however, should go to a Conference Committee to have certain defects in it corrected. We have been trying to agree to that in the last few minutes and I think we have amendments that would correct this bill and put it in proper form.

I do not know whether the sponsors of the bill, in view of the short time remaining for this Session, want it to go to a Conference Committee.

I would like to interrogate one of the sponsors of the bill and ask if a Conference Committee would be agreeable. If not, I think the bill should be defeated in its present form.

I will be glad to interrogate Mr. Kornick or Mr. Rigby.

Mr. KORNICK. I will consent to be interrogated, Mr. Speaker.

Mr. LIPPINCOTT. Will the gentleman state whether he feels this bill could be corrected in the Conference Committee to meet the objections raised by members of the sports car groups, with which I believe the gentleman is quite familiar.

Mr. KORNICK. Mr. Speaker, I do not know what the wishes of the Senate members of the Conference Committee may be, but I am under the impression we have to vote to concur or non-concur before there can be a Conference Committee.

Mr. LIPPINCOTT. Would the gentleman agree that the bill in its present form would prohibit sports car rallies in which a sports car is run over a certain course, all within the proper vehicle speed limits, but yet a contest resulting by measuring the distance in elapsed time?

Mr. KORNICK. Mr. Speaker, as an ordinary layman I do not interpret it that way. I am of the opinion, myself, that it excludes sports car racing because they are not racing; they are confined within the law, going at 30 miles an hour, 25 miles an hour. So it does not include those people.

Mr. LIPPINCOTT. Would it not be preferable to spell that out in the bill, Mr. Speaker?

Mr. KORNICK. Probably, in the gentleman's opinion, but I think at this time the bill is all right.

Mr. Speaker, with your permission I will yield to Mr. Bowman on the other side.

Mr. LIPPINCOTT. I would ask Mr. Bowman the same question.

Mr. BOWMAN. Mr. Speaker, would the gentleman from Delaware repeat the question so that I accurately understand it.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman state whether, in his opinion, this bill in its present form would prohibit a sports car rally in which various sports cars travel from point to point trying to attain a given speed over a certain course, and their time is based on elapsed time from point to point.

Mr. BOWMAN. Mr. Speaker, any use of a public highway by a sports car or any other car in which one of the elements of the use of the highway is a contest involving elapsed time, superior performance or speed would, in my opinion, be in violation of this section.

I would request that I be recognized after the interrogation.

Mr. LIPPINCOTT. Assuming, Mr. Speaker, then that the definition which I just gave, and which I admit is rather loose, is a definition of a sports car rally, would the gentleman say that sports car rallies would be covered by this bill in its present form.

Mr. BOWMAN. I am not sure that I know what a sports car rally is. If a sports car rally uses the public highways for one of the three prohibited purposes in a contest, then a sports car rally is prohibited, yes.

Mr. LIPPINCOTT. One other question, Mr. Speaker, this bill presently does not define vehicles to mean motor vehicles. Is it not correct, under a strict interpretation of this bill, that it would exclude soap box derbies?

Mr. BOWMAN. I do not necessarily agree with that. In a soap box derby conducted on a public highway, a soap box vehicle is, I think, within the definition of the Code; however, most are conducted on closed highways.

If the highway is closed I do not think it is then a public highway subject to this section of the bill.

Mr. LIPPINCOTT. Would it not be easier to merely add the word "motor" in front of "vehicle" to exclude this?

Mr. BOWMAN. It would, perhaps, help a little bit; not substantially, in my opinion.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I just want to say that I think the bill in its present form should be corrected. I believe these objections which have been raised by many sports car owners—I sold mine last month incidentally—could be corrected and the bill could be put in proper form.

Mr. BOWMAN. Mr. Speaker, I, of course, have always advocated that we pass our legislation with as much preciseness as possible. However, if you note, this bill has already gone through six printings. I think in its present form it is fairly good legislation and should be passed by this House; that is, the amendments of the Senate should be adopted.

It is rather a strange thing, in my opinion, that this House should stand by and listen to the objections of certain groups who have a selfish interest in the use of the highways, listen to those interests and defeat this legislation while on the other hand we pass legislation requiring millions and millions of dollars in the name of safety. We have often heard on the floor of this House that if one life can be saved, if one personal injury can be avoided, it would be good legislation. I say to you it is time this House of Representatives begins to recognize the tremendous problem created by the carnage on the highways today.

This is perhaps not perfect. This perhaps will prohibit, under some person's interpretation, a soap box derby. If that is so, I do not think any law officer is going to arrest any soap box derby contestant. If these sports car groups do use the highways and are involved in a contest of speed, endurance or elapsed time, I do not see why they should have the privilege of using the highways because I think that will jeopardize the safety of all the other motorists. This is good legislation and should be adopted.

Mr. McCANN. Mr. Speaker, I believe they have cleared rather carefully the points of House Bill 63. Many of us commonly call it just a "drag racing bill."

I would like to say that I have made the request that we do concur in the Senate amendments. I ask that you vote in the affirmative in support of that motion. As the gentleman from Dauphin has so wisely stated, maybe it is time that we took a little more interest in our highways. If these sports car people have such a problem they can find another place to run their time races.

I know the real intent of this legislation, as well as that of the bill which was defeated the other day, is to prohibit drag racing on the public roads or highways in the Commonwealth of Pennsylvania, and we say that we are opposed to drag racing. We are for highway safety and the saving of lives. With that I ask that we vote in the affirmative on House Bill 63.

Mr. MAXWELL. Mr. Speaker, I should like to interrogate the gentleman from Dauphin, Mr. Bowman.

The SPEAKER. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, are there not now laws on the statute books of this Commonwealth that prohibit racing on the highways?

Mr. BOWMAN. Not in the full scope of the way the question is framed, no.

Mr. MAXWELL. Well, for my information, Mr. Speaker, and the information of the rest of the Members of the House, I would appreciate it if the gentleman would explain in what way, or why, racing on the highway is not now prohibited.

Mr. BOWMAN. The present Vehicle Code only covers racing in the broad, general sense of that word, under the reckless driving section of the Code. I do not have that section before me; however, it substantially provides that you may not engage in a physical endurance or speed contest on the highways. I think that is not precisely the language, but substantially the language. In enforcing that section we have found it difficult to interpret a drag race within that section, at least in the urban areas, and by that I mean these contests whereby two cars stop at a red light, and as soon as the light turns green put on the gas—I forget the common term; "burning the rubber," or "skidding the rubber," something like that—and they only carry their contest for a matter of 50 or 60 feet, or perhaps to the next intersection. Since that elapsed distance does not cover the distance required to clock speeding, our police officers are reluctant to use that section to arrest these people for that type of performance.

Mr. McCANN. Mr. Speaker, could I enlighten the gentleman from Dauphin momentarily, even though Dr. Maxwell has the floor?

I do not know if this is the proper term, but in western Pennsylvania on what we call Route 51 out of Pittsburgh, coming up to Saw Mill at a stop light one of these beatniks drove up along side, looked at me and said: "Do you want to drag, big boy?" I never answered him, but I assume that is the proper language.

Mr. BOWMAN. To further answer, Mr. Speaker, the other problem we found this question of prohibiting drag racing was that if we increased the fine or the penalty under the reckless driving section to the penalty we would like to impose for drag racing itself, we would be increasing the penalty to too great an extent for all types of reckless driving. Therefore the new section was inserted to deal primarily and specifically with drag racing so that we could impose a higher penalty than we wished to impose with respect to all types of reckless driving operations.

Mr. MAXWELL. Mr. Speaker, I thank the gentleman. I knew I could depend on a fairly good resume of the law from Mr. Bowman. However, he has not quite answered the question specifically. And I do not think this bill quite settles the question of drag racing, either. I believe under our present laws we have enough on our statute books to take care of all types of racing and reckless driving.

There is one danger in this bill I would like to point out. It could happen to any Member of this House.

Two cars could start out from a stop light, neither one intending to race or drag the other one, as the terminology "drag racing" is defined. When you start out with a quick, short burst of speed, they call it a drag. Now any Member of this House could become involved in a so-called

drag race innocently. He might just start out quickly from a stop light, a car opposite him would start out the same way, and a policeman would be standing on a corner and arrest them for drag racing when the gentlemen involved would have no intention of drag racing. That is one of the dangers of this bill I would like to point out.

Furthermore, I think this bill is unnecessary. I do not like to say this, but I think the bill was introduced solely for publicity purposes. I think the sponsors should be contented with the publicity they have received. And I think the bill should be defeated.

Mr. ISAACS. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Bowman.

The SPEAKER. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be interrogated?

Mr. BOWMAN. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, after the definition of drag racing, which has been defined in one respect as leaving an intersection or traffic light, who would be the judge as to whether or not the motorists were drag racing?

Mr. BOWMAN. In the first instance, like any purported violation, or alleged violation of law, the police officer making the arrest would be the judge. In the final analysis, the judge of the court, if it were taken that far, would be the judge. In the interim, it would be the gentleman who would hold the high office that you do who would be the judge.

Mr. ISAACS. Mr. Speaker, we have thousands and thousands of policemen in this Commonwealth; some of them on traffic have been in uniform a week, maybe, or two weeks; others have a wealth of experience behind them. Do you believe this bill has the proper safeguards for the motoring public?

Mr. BOWMAN. I believe this bill has just as many safeguards as any other penalty provision of the Motor Vehicle Code. If you have an incompetent officer, he can arrest you for violating any one of dozens of sections of the Code. To me that is not an argument to be for or against this bill whatsoever; that is a problem of good administration of the police department.

Mr. ISAACS. Mr. Speaker, under the section covering speeding in the Vehicle Code, a motorist has to be trailed for a certain distance. Any officer or, as a matter of fact, any individual standing at an intersection or on a highway could prefer charges of drag racing under this bill. As has been stated here by another gentleman two motorists pulling away from a traffic light, might be so charged, would you not agree to that?

Mr. BOWMAN. No, I do not agree that if I were at a traffic light and pulled out at a reasonable and proper speed, under the circumstances, and some fellow was beside me, I thereby become guilty of drag racing. I do not agree at all.

If I want to beat him and get ahead of his pulling out from the intersection and engage in a contest as to whether he is going to get ahead of me or I get ahead of him, yes, I am drag racing and I should be prosecuted. That is hardheadedness, in my opinion, if you are only doing it because you say every time one starts from a traffic light, the other fellow says, I am going to beat the other guy if it is the last thing I do. That is precisely the type of thing we should prohibit.

Mr. ISAACS. Mr. Speaker, I thank the gentleman.

Mr. ISAACS. Mr. Speaker, with quite some experience, both in the police field and in the field of a magistrate, I am afraid that this section as it is written opens up quite a possibility for prosecutions which should not be. It is left entirely to an officer's judgment as to the speed with which the motorist might leave a light, without any timing or without any safety provisions in it.

This bill has other deficiencies which have been debated by the gentleman from Delaware. We have been in Session here for a year and I think since this legislation comes before us we have had time to get this bill in proper shape.

I believe, too, in safety, but I am a little afraid of this measure in its present form.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Bowman.

The SPEAKER. Will the gentleman from Dauphin, Mr. Bowman, permit himself to be further interrogated?

Mr. BOWMAN. Reluctantly, yes, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, this debate has gone on so long I want to be sure that I remember the gentleman from Dauphin's answers to Mr. Lippincott's question.

This bill would prohibit sports car rallies which do not concern themselves with speeding in excess of the speed limit at any time?

Mr. BOWMAN. I find it difficult to answer because no one as yet has defined a sports car rally. Now if sports cars in any contest which involve any one of those three elements that I referred to, that is, elapsed time, speed, or physical endurance contest; if it is first a contest, secondly, if it involves any one of those three elements, then I say, if it is on the public highway, this bill would prohibit it, and, I also say, properly so.

Mr. A. D. WILLIAMS. Mr. Speaker, is a contest one for speed where the goal is to seek to travel between two points at an average rate of speed, that speed being within the speed limits, let us say, 40 miles per hour elapsed time for a mile distance in an area where you could go 50? Is that a speed contest? The person closest to 40 miles per hour is the winner.

Mr. BOWMAN. If he is competing with anyone else, I would say, yes.

Mr. A. D. WILLIAMS. Even though everyone competing were all traveling at a speed less than the regulated rate of speed?

Mr. BOWMAN. Yes, I would say it would be. I would hate to see, if I were a traveling motorist, dozens of sports cars coming down the road at 40 miles an hour, or 35 miles an hour, even though they start out at different times. I cannot imagine any contest where the sole purpose is for someone not to come out a winner but to merely say I am going to go from this point to that point, during an elapsed period of time without any element of a contest or any element of winning in it. If there is winning, as far as I am concerned, you are jeopardizing the safety of other people on the highway.

Mr. A. D. WILLIAMS. I thank the gentleman.

Mr. Speaker, I think the problem here, for those who are interested in preserving the sports car rallies, is one of understanding what they are.

Unfortunately, I am not a sports car enthusiast; frankly, I cannot afford one. But as I understand it, the element of speed is relatively unimportant. It is much more im-

portant to be able to maintain a steady pace, be able to recognize road markings, be able to follow a map or a diagram of the course to be followed. As I understand it, there are contests where no two vehicles are on the road at the same spot at the same time. They all leave at different times.

As I understand, one of the rules of all these clubs is that they never violate the speed limits. I think what we are doing today is, we are trying to get at the evil of drag racing and at the same time we are throwing out what is apparently a beneficial sport engaged in by many Pennsylvanians, sports cars rallies. I think it is a shame we have not considered this a little more thoroughly.

I think Mr. Lippincott is entirely correct that the sponsors of this bill should permit us to vote no on this question so this can go into conference and be properly resolved, so that we can throw out drag racing and keep in sports car rallies.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

| | | | |
|------------|-------------------|-------------------|------------|
| Anderson, | Fox, | McDonald, | Riley, |
| Arlene, | Frascella, | McInroy, | Rovansek, |
| Balthaser, | Galley, | McKeever, | Royer, |
| Blair, | Garlock, | McLaughlin, | Rudisill, |
| Boles, | Gelfand, | Machmer, | Sakulsky, |
| Bonner, | Goldstein, J. H., | Magee, | Scarcell, |
| Bower, | Goldstein, M. H., | Mahan, | Schuster, |
| Bowman, | Gramlich, | Markley, | Schwartz, |
| Branca, | Guthrie, | Merry, | Seltzer, |
| Breth, | Hamilton, | Mihm, | Silverman, |
| Burns, | Haudenshield, | Miller, B. Z., | Snider, |
| Capano, | Heavey, | Miller, H. G., | Stank, |
| Capitolo, | Helm, | Muldowney, | Stewart, |
| Cianfrani, | Hocker, | Mullen, | Stevens, |
| Cioffi, | Holliday, | Munley, | Stimmel, |
| Clarke, | Iris, | Murray, J. J., | Stone, |
| Comer, | Jim, | Murray, P. G., | Stoner, |
| Curwood, | Kamyk, | Musto, | Taylor, |
| Davis, | Kelser, | Needham, | Thompson, |
| Dennison, | Kessler, | Nelson, | Tompkins, |
| Devlin, | Knecht, | O'Donnell, J. P., | Trusio, |
| Donahue, | Kooker, | Ogilvie, | Ujobal, |
| Dougherty, | Kornick, | O'Neil, | Verona, |
| Down, | Korna, | Parlante, | Wargo, |
| Eilberg, | Kovolenko, | Pashley, | Weidner, |
| Eshback, | Lamb, | Perry, H. H., | Welsh, |
| Eshleman, | Leonard, | Perry, P. E., | Wheeler, |
| Ewing, | Light, | Petrosky, | Whittaker, |
| Farabaugh, | Limper, | Polaski, | Willard, |
| Fetterolf, | Lopresti, | Polen, | Willaredt, |
| Filo, | Luigard, | Price, | Wood, |
| Fineman, | Lutty, | Pursley, | Worley, |
| Floyd, | McCandless, | Reldenbach, | Yatron, |
| Flynn, | McCann, | Renwick, | Yetter, |
| Foerster, | McCormack, | Rigby, | Andrews, |

Speaker

NAYS—40

| | | | |
|------------|-----------------|--------------------|-----------------------|
| Ashton, | Isaacs, | Meholchick, | Snare, |
| Barton, | Johnson, A. W., | Mills, | Sullivan, |
| Brown, | Johnson, R., | Murphy, A. J., Jr. | Varnier, |
| Crossin, | Jump, | Murphy, P. J., | Wall, |
| Edwards, | Kee, | Murray, H. P., | Walsh, |
| Frank, | Kernaghan, | O'Dell, | Wescott, |
| Fulmer, | Lee, A. M., | O'Donnell, J. A., | Williams, A. D., Jr., |
| Gallagher, | Lee, K. B., | Prendergast, | Williams, E. S., |
| Goodrich, | Lippincott, | Schaaf, | Wynd, |
| Horst, | Maxwell, | Shupnik, | Zimmerman, |

NOT VOTING—30

| | | | |
|--------|------------|---------------|-----------|
| Agnew, | Dengler, | Jenkins, | Odorisio, |
| Auker, | Donaldson, | Jones, F. R., | Reibman, |

| | | | |
|-------------|----------|------------------|------------|
| Bell, | George, | Jones, T. H. W., | Sherman, |
| Boris, | Gibb, | Kubitsky, | Steckel, |
| Brenninger, | Heffner, | Monroe, | Strausser, |
| Buchanan, | Henzel, | Moran, | Stroup, |
| Cooper, | Holt, | Naugle, | Wilt, |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1977

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1977.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1977, entitled: "An act amending the act of June 3, 1937 (P. L. 1333), entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections' providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto."

Respectfully submit the following bill as our report:

J. IRVING WHALLEY,
RAYMOND P. SHAFER,
PAUL W. MAHADY,
(Committee on the part of the Senate.)

CHARLES D. STONE,
J. DEAN POLEN,
ADAM T. BOWER,

(Committee on the part of the House of Representatives.)

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing a system whereby certain electors absent from or unable to attend their regular polling places may cast their votes and providing for powers duties and penalties in relation thereto.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 102 act of June 3, 1937 (P. L. 1333), known as the "Pennsylvania Election Code" is amended by adding at the end thereof a new subsection to read.

Section 102. Definitions. The following words when used in this act shall have the following meanings unless otherwise clearly apparent from the context:

(y) The term "absentee elector" shall mean any qualified elector of this Commonwealth properly registered and enrolled who (1) on the occurrence of any election is unavoidably absent from the county of his voting residence by reason of his duties business or occupation or who (2) on the occurrence of any election is unable to attend at his proper polling place by reason of illness or physical disability but shall not include a qualified

elector in actual military service or a "qualified bedridden or hospitalized veteran" as defined in this section or any person committed to and confined in a penal institution or a mental institution.

Section 2. The act is amended by adding after Article XIII-A a new article to read.

Article XIII-B Absentee Voting

Section 1301-B. Absentee Electors. Any absentee elector of this Commonwealth may vote under the provisions of this act in any election held in this Commonwealth. An absentee elector may vote only for such offices and upon such question as he would be entitled to vote for or on had he presented himself in the district in which he has his legal residence and in the manner hereinafter provided.

Section 1302-B Form of Application Certificate and Declaration. The county board of elections shall prepare and have printed a form all three parts of which shall be printed on one side of a sheet of paper not larger than eight and one-half inches by thirteen inches as follows:

Part 1. Application for Absentee Ballot (Voter complete two copies of Part 1 and deliver both to the chief clerk county board of elections in your county.)

I declare that I reside at (post office address of applicant) in the (voting district or precinct) of the (city borough town or township) in county Commonwealth of Pennsylvania that I am a registered elector entitled to vote therein at the next election that I am registered as a (if primary election give party enrollment otherwise leave blank) and that I hereby apply for an official absentee ballot for the reason that (1) I expect to be unavoidably absent from said county on the day of such election because of duties occupation or business (2) I expect to be unable to attend my proper polling place on the day of such election because of illness or physical disability on the advice of my physician whose signature appears below (mark out the reason not applicable.)

(Date of signature) Signature of applicant)

I declare that I have advised applicant as stated above. Send ballot to (Fill in if applicant is in hospital or confined away from residence).

(Signature of physician)

(Required only if reason (2) is not marked out in application above)

Part 2. Certification of Chief Clerk of County Board of Elections.

I certify that I have compared the foregoing signature of applicant with the signature of that name in the permanent registration records that I am satisfied that applicant is entitled to vote as stated in the application above and have no reason to believe to the contrary that I have this day issued to applicant an official absentee ballot envelopes and this certification and that I have marked the district register accordingly as prescribed by law.

(Date of issue) Signature of Chief Clerk
(County Board of Elections)

Part 3. Declaration of Elector (Voter complete this declaration after marking your ballot put your marked ballot in the small envelope seal the small envelope put the small envelope and this paper in the large envelope seal the large envelope and mail it).

I declare that I am the applicant whose signature appears in Part 1 hereof that I and I alone have secretly marked the official absentee ballot issued to me and that I have not and will not cast any other ballot in the election to which said official absentee ballot pertains.

(Date of signature) (Signature of elector)

Witness to elector's signature

(Signature of witness)

Section 1303-B. Manner and Time of Applying for Absentee Ballot. (a) Except as hereinafter provided any elector desiring an official absentee ballot for the reason that he expects to be unavoidably absent from the county

of his voting resident on the day of election because of duties occupation or business shall appoint therefor in person to the chief clerk of the county board of elections and he shall then and there complete an original and a duplicate of Part 1 of the form prescribed by section 1302-B and deliver both copies of the form to the chief clerk any application for an official absentee ballot assigning such reason and not delivered to the chief clerk shall be void.

(b) Any elector desiring an official absentee ballot for the reason that he expects to be unable to attend his proper polling place on the day of election because of illness or physical disability shall signify that desire to the chief clerk of the county board of elections in writing signed by the elector and delivered to the chief clerk by any means. Upon receipt of such writing the chief clerk shall mail to the elector at the address stated in such writing two copies of the form prescribed by section 1302-B. The elector shall complete an original and a duplicate of Part 1 of such form and deliver both copies of the form to the chief clerk by any means.

(c) Any elector desiring an official absentee ballot for the reason that he expects to be unavoidably absent from the county of his voting residence on the day of election because of duties occupation or business and who is or expects to be so unavoidably absent during the thirty days preceding the day of election in which the ballot is cast shall signify that desire to the chief clerk of the county board of elections in writing signed by the elector and delivered to the chief clerk by any means. Upon receipt of such writing the chief clerk shall mail to the elector at the address stated in the writing two copies of the form prescribed by section 1302-B. The elector shall complete an original and duplicate of Part 1 of such form and deliver both copies to the chief clerk by any means.

(d) Every application for an official absentee ballot comprising the original and duplicate completed Part 1 on the form aforesaid shall be delivered to the chief clerk no earlier than the thirtieth day and no later than the seventh day preceding the day of the election in which the ballot is to be cast. All applications received at other times shall be void.

Section 1304-B. Issuance of Official Absentee Ballots Envelopes and Certificates Upon delivery to him of an application for an official absentee ballot as prescribed by section 1303-B the chief clerk of the county board of elections shall compare the signature and voting residence of the applicant upon such application with the signature and voting residence of applicant in the permanent registration records of the board of registration commissioners and if he is satisfied that applicant is entitled to vote as stated in the application and has no reason to believe to the contrary he shall enter in ink on the appropriate district register in the place provided to signify the applicant's having voted at the election the letter "A" and he shall sign Part 2 on both the original and duplicate of the application and he shall hand or mail to the applicant the following:

(a) One official absentee ballot which shall be in the same form as regular and official ballots except that it shall be printed upon blue paper and shall have printed on the back thereof in addition to any other matter now required by law the words "Official Absentee Ballot."

(b) A gummed envelope approximating the size known commercially as number six and three-quarters with the words "Official Absentee Ballot" printed upon it and nothing else such envelope is hereafter referred to as the first envelope.

(c) The original of the form prescribed by section 1302-B Parts 1 and 2 of which shall have been completed as aforesaid.

(d) A gummed envelope approximately the size known commercially as number ten on which there shall be printed as addressee the name and post office address of the county board of elections and in the upper left corner the words "Absentee Elector" Such envelope is hereafter referred to as the second envelope.

Section 1305-B. Balloting and Mailing. The elector to whom an official absentee ballot shall have been issued

may cast the ballot in the following manner and not otherwise.

(a) He shall in secret mark the ballot with pencil crayon indelible pencil or ink.

(b) He shall place the marked ballot in the first envelope described in subsection (b) of section 1304-B and seal the envelope.

(c) He shall complete Part 3 of the form described in subsection (c) of section 1304-B and have his signature witnessed by a subscribing witness as that part requires.

(d) He shall place both the form and the sealed first envelope containing the marked ballot in the second envelope described in subsection (d) of section 1304-B.

(c) He shall seal the second envelope affix the necessary postage thereto except in cases where postage is not required and mail it in sufficient time that the day of the postmark thereon shall not be later than the day of the election in which the ballot is to be cast.

Section 1306-B. Absentee Voter's List. Not less than five days preceding the election the chief clerk shall prepare from the duplicates of completed Parts 1 and 2 of the forms retained by him a list for each election district showing the names and post office addresses of all voting residents thereof to whom official absentee ballots shall have been issued. Each such list shall be prepared in duplicate shall be headed "Persons in (give identity of election district) to whom absentee ballots have issued for the election of (date of election)" and shall be signed by him not less than four days preceding the election. He shall post the original of each such list in a conspicuous place in the office of the county election board and see that it is kept so posted until the close of the polls on election day. He shall cause the duplicate of each such list to be delivered to the judge of election in the election district in the same manner and at the same time as are provided in this act for the delivery of other election supplies and it shall be the duty of such judge of election to post such duplicate list in a conspicuous place within the polling place of his district and see that it is kept so posted throughout the time that the polls are open.

Section 1307-B. Canvassing of Ballot. The county board of elections upon receipt of a sealed second envelope shall keep it safely and shall deliver it unopened to the return board when it convenes to canvass the vote according to law. No such ballots shall be counted which are received in the offices of the county board of elections later than ten o'clock A.M. Eastern Standard Time of the second Friday following the primary election or the November election. The return board shall reject and mark "Rejected" without opening any such envelope bearing no postmark or bearing a postmark later than the day of the election. After opening the remaining such envelopes it shall reject and mark "Rejected" the contents of any such envelope if (a) it contains either more or less than the contents prescribed by subsection (d) of section 1305-B (b) the form referred to in subsection (c) of section 1305-B shall not be complete and regular on its face or (c) the signature of the applicant in Part 1 of such form does not correspond with the signature of the elector in Part 3 thereof. If the return board shall be satisfied that the contents meet the requirements prescribed therefore it shall announce the name of the voter of the absentee ballot and shall give any person present an opportunity to challenge the same in like manner and for the same causes as the elector could have been challenged had he presented himself in his own district to cast his ballot. If there are no challenges or if all challenges are unsuccessful the form and the first envelope bearing the printed words "Official Absentee Ballot" shall be separated and such envelope together with all similar envelopes so separated shall be put into one depository at one time and said depository well shaken and the envelopes containing the ballots mixed before any ballot is taken therefrom. The return board shall then break the seals of such envelopes and record the ballots in the same manner as the election officer records votes and in so canvassing said votes the return board shall count the votes of all absentee electors taken as herein provided and add the same to the total

result of the election in the county district precinct or ward accordingly as designated on each ballot.

Section 1308-B. Ballots to be Public Records. The ballots after being opened and duly counted by the return board together with completed forms received therewith are hereby designated and declared to be public records and shall be safely kept in the custody of the county board of elections for the period of two years and in case of a contested election the same may be opened and counted as in other cases.

Section 3. Article XVIII of the act is amended by adding after section 1852 a new section to read:

Section 1853. Violations of Provisions Relating to Absentee Electors' Ballots. If any person shall sign an application for absentee ballot or declaration of elector on the form prescribed by section 1302-B knowing any matter declared therein to be false or shall vote any ballot other than one properly issued to him or vote or attempt to vote more than once in any election for which an absentee ballot shall have been issued to him or shall violate any other provisions of Article XVIII-B of this act he shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000) or be imprisoned for a term not exceeding one year or both at the discretion of the court.

If any chief clerk or member of a board of elections member of a return board or member of a board of registration commissioners shall neglect or refuse to perform any of the duties prescribed by Article XIII-B of this act or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of Article XIII-B of this act or shall count an absentee ballot knowing the same to be contrary to Article XIII-B or shall reject an absentee ballot without reason to believe that the same is contrary to Article XIII-B or shall permit an elector to cast his ballot at a polling place knowing that there has been issued to the elector an absentee ballot he shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand (\$1000) or be imprisoned for a term of one year or both at the discretion of the court.

Section 4. All acts and part of acts are repealed in so far as they are inconsistent herewith.

The provisions of this act shall not be construed to repeal any acts or parts of acts authorizing voting by qualified electors in actual military service or qualified bedridden or hospitalized veterans absent from or unable to attend their regular polling places.

Section 5. Cities of the first class and counties are hereby authorized and empowered to appropriate the moneys necessary to carry out the provisions of this amendment.

Section 6. This act shall take effect January 1, 1960.

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

| | | | |
|------------|-------------------|---------------------|------------|
| Anderson, | Garlock, | McKeever, | Rudisill, |
| Arlene, | Gelfand, | McLaughlin, | Sakulsky, |
| Ashton, | Goldstein, J. H., | Machamer, | Scarcelli, |
| Auker, | Goldstein, M. H., | Magee, | Schaaf, |
| Balthaser, | Goodrich, | Mahan, | Schuster, |
| Barton, | Gramlich, | Markley, | Schwartz, |
| Blair, | Guthrie, | Maxwell, | Seltzer, |
| Boles, | Hamilton, | Meholchick, | Shupnik, |
| Bonner, | Haudenshield, | Merry, | Silverman, |
| Bower, | Heavey, | Mihm, | Snare, |
| Bowman, | Helm, | Miller, B. Z., | Snider, |
| Branca, | Hocker, | Miller, H. G., | Stank, |
| Breth, | Holliday, | Mills, | Stevens, |
| Brown, | Holt, | Muldowney, | Stewart, |
| Burns, | Horst, | Mullen, | Stimmel, |
| Capano, | Irvins, | Munley, | Stone, |
| Capitolo, | Isaacs, | Murphy, A. J., Jr., | Stoner, |
| Cianfrani, | Jenkins, | Murphy, P. J., | Stroup, |
| Cioffi, | Jim, | Murray, H. P., | Sullivan, |

| | | | |
|------------|-----------------|-------------------|----------------------|
| Clarke | Johnson, A. W., | Murray, J. J., | Taylor, |
| Comer, | Johnson, R., | Murray, P. G., | Thompson, |
| Crossin, | Jump, | Musto, | Tompkins, |
| Curwood, | Kamyk, | Naugle, | Trusio, |
| Davis, | Kee, | Needham, | Ujobai, |
| Dennison, | Keiser, | Nelson, | Varner, |
| Devlin, | Kernaghan, | O'Dell, | Verona, |
| Donahue, | Kessler, | O'Donnell, J. A., | Wall, |
| Dougherty, | Knecht, | O'Donnell, J. P. | Walsh, |
| Down, | Kooker, | Ogilvie, | Wargo, |
| Edwards, | Kornick, | O'Neil, | Weidner, |
| Elberg, | Korns, | Parlante, | Welsh, |
| Eshback, | Kovolenko, | Pashley, | Wescott, |
| Eshleman, | Lamb, | Perry, H. H., | Wheeler, |
| Ewing, | Lee, A. M., | Perry, P. E., | Whittaker, |
| Farabaugh, | Lee, K. B., | Petrosky, | Williams, A.D., Jr., |
| Fetterolf, | Leonard, | Polaski, | Williams, E. S., |
| Fillo, | Light, | Polen, | Willard, |
| Fineman, | Limper, | Prendergast, | Willaredt, |
| Floyd, | Lippincott, | Price, | Wood, |
| Flynn, | Lopresti, | Pursley, | Worley, |
| Foerster, | Luigard, | Reibman, | Wynd, |
| Fox, | Lutty, | Reidenbach, | Yatron, |
| Frank, | McCandless, | Renwick, | Yetter, |
| Frascella, | McCann, | Rigby, | Zimmerman, |
| Fulmer, | McCormack, | Riley, | |
| Galley, | McDonald, | Rovasek, | |
| Gallagher, | McInroy, | Royer, | Andrews, |
| | | | Speaker |

NAYS—0

NOT VOTING—24

| | | | |
|-------------|------------|------------------|------------|
| Agnew, | Dengler, | Jones, F. R., | Odorisio, |
| Bell, | Donaldson, | Jones, T. H. W., | Sherman, |
| Boris, | George, | Kubitsky, | Steckel, |
| Brenninger, | Gibb, | Monroe, | Strausser, |
| Buchanan, | Heffner, | Moran, | Wilt, |
| Cooper, | Henzel, | | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1980

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1980.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1980, entitled: "An act amending the act of June 3, 1937 (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' further regulating the marking and counting of ballots."

Respectfully submit the following bill as our report:

RAYMOND P. SHAFER,
J. IRVING WHALLEY,
PAUL W. MAHADY,
(Committee on the part of the Senate.)

CHARLES D. STONE,
JOHN R. GAILEY, JR.,
JOSEPH R. HOLLIDAY,
(Committee on the part of the House of Representatives.)

An Act amending the act of June 3, 1937 (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county board of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further regulating the marking and counting of ballots.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 1002 act of June 3, 1937 (P. L. 1333) known as the "Pennsylvania Election Code" is amended to read

Section 1002 Form of Official Primary Ballot

(a) At primaries separate official ballots shall be prepared for each party which shall be in substantially the following form

Official Primary Ballot
(Name of Party)
..... District Ward City of
County of State of Pennsylvania
..... Primary election held on the
day of 19....

Make a cross (X) or check (✓) in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write print or paste his name in the blank space provided for that purpose If you spoil your ballot do not erase but ask for a new ballot [Use] Mark ballot only in black lead pencil [or] indelible pencil or blue black or blue-black ink in fountain pen or ball point pen Use the same pencil or pen for all markings you place on the ballot use the same mark either a cross (X) or check (✓) for all markings

President of the United States
(Vote for one)

John Doe
Richard Roe
John Stiles

United States Senator
(Vote for one)

John Doe
Richard Roe
John Stiles

Governor
(Vote for one)

John Doe
Richard Roe
John Stiles

Representatives in Congress District
(Vote for one)

John Doe
Richard Roe
John Stiles

Delegates at Large to National Convention
(Vote for)

John Doe

(Promises to support popular choice of party in the State for President)

John Stiles

(Does not promise to support popular choice of party in the State for President)

Delegate to National Convention District
(Vote for)

John Doe

(Promises to support popular choice of party in District for President)

John Stiles

(Does not promise to support popular choice of party in District for President)

Senator in the General Assembly District
(Vote for one)

John Doe
Richard Roe
John Stiles

Member of State Committee
(Vote for one)

John Doe
Richard Roe
John Stiles

Party Committeemen
(Vote for)

John Doe
Richard Roe
John Stiles
* * *

Section 2 Subsection (a) of section 1003 of the act amended April 24, 1947 (P. L. 68) is amended to read

Section 1003 Form of Official Ballot

(a) The official ballots for general municipal and special elections shall be in substantially the following form

Official Ballot

..... District Ward City of
..... County of State of Penn-
sylvania Election held on the day
of 19..... A cross [mark] (X) or
check (✓) mark in the square opposite the name of any
candidate indicates a vote for that candidate

To vote a straight party ticket mark a cross (X) or
check (✓) in the square in the Party Column opposite
the name of the party of your choice To vote for an in-
dividual candidate of another party after making a mark
in the party square mark a cross (X) or check (✓) op-
posite his name For an office where more than one candi-
date is to be voted for the voter after marking in the
party square may divide his vote by marking a cross
(X) or check (✓) to the right of each candidate for
whom he or she desires to vote For such office votes shall
not be counted for candidates not individually marked

To vote for a person whose name is not on the ballot
write print or paste his name in the blank space provided
for that purpose A cross (X) or check (✓) mark in the
square opposite the names of the candidates of any party
for President and Vice-President of the United States in-
dicates a vote for all the candidates of that party for
presidential elector To vote for individual candidates for
presidential elector write print or paste their names in
the blank spaces provided for that purpose under the title
"Presidential Electors" [Use] Mark ballot only in black
lead pencil [or] indelible pencil or blue black or blue-
black ink in fountain pen or ball point pen use the same
pencil or pen for all markings you place on the ballot
use the same mark either a cross (X) or check (✓) for
all markings

Party Column

To vote a Straight Party
Ticket Mark a Cross (X)
or check (✓) in this
Column

Presidential Electors
(Vote for the candidates of
one party for President
and Vice-President or in-
sert the names of candi-
dates)

Democrat

For
John Stiles
and
Richard Doe
Democratic

Republican

For
John Doe
and
Richard Roe
Republican

Socialist

For
John Smith
and
William Jones
Socialist

Citizens

United States Senator
(Vote for one)

Richard Roe Democratic
John Doe Republican
Richard Stiles Socialist

Governor
(Vote for one)

Richard Roe Democratic
John Doe Republican
Richard Stiles Socialist

Representatives in Congress
..... District
(Vote for one)

Richard Roe Democratic
John Doe Republican
Richard Stiles Socialist

Senator in the General Assembly
..... District
(Vote for one)

John Doe Democratic
Richard Roe Republican
* * *

Section 3 Section 1215 of the act is amended to read
Section 1215 Method of Marking Ballots and Depositing
Same in Districts in Which Ballots are Used (a) In dis-
tricts in which ballots are used the elector after receiv-
ing his ballot shall retire to one of the voting compart-
ments and draw the curtain or shut the screen or door
and shall then prepare his ballot

(b) At primaries the elector shall prepare his ballot
in the following manner He shall vote for the candidates
of his choice for nomination or election according to the
number of persons to be voted for by him for each office
by making a cross (X) or check (✓) mark in the square
opposite the name of the candidate or he may insert by
writing stamping or sticker in the blank space provided
therefor any name not already printed on the ballot and
such insertion shall count as a vote without the making
of a cross (X) or check (✓) mark

(c) At elections the elector shall prepare his ballot in
the following manner He may vote for the candidates
of his choice for each office to be filled according to the
number of persons to be voted for by him for each office
by making a cross (X) or check (✓) mark in the square
opposite the name of the candidate or he may insert by
writing stamping or sticker in the blank spaces provided
therefor any name not already printed on the ballot and
such insertion shall count as a vote without the making
of a cross (X) or check (✓) mark If he desires to vote
for every candidate of a political party or political body
except its candidates for offices as to which he votes for
individual candidates in the manner hereinabove provided
he may make a cross (X) or check (✓) mark in the
square opposite the name of the party or political body
of his choice in the party column on the left of the ballot
and every such cross (X) or check (✓) mark shall be
equivalent to and be counted as a vote for every candidate
of a party or political body so marked including its candi-
dates for presidential electors except for those offices as
to which he has indicated a choice for individual candi-
dates of the same or another party or political body by
making a cross (X) or check (✓) mark opposite their
names in the manner hereinabove provided as to which
offices his ballot shall be counted only for the candidates
which he has thus individually marked notwithstanding
the fact that he made a mark in the party column and
even though in the case of an office for which more than
one candidate is to be voted for he has not individually
marked for such office the full number of candidates for
which he is entitled to vote if he desires to vote for the
entire group of presidential electors nominated by any
party or political body he may make a cross (X) or check
(✓) mark in the appropriate square at the right of the
names of the candidates for President and Vice-President
of such party or body If he desires to vote a ticket for
presidential electors made up of the names of persons
nominated by different parties or political bodies or par-
tially of names of persons so in nomination and partially
of names of persons not in nomination by any party or

political body or wholly of names of persons not in nomination by any party or political body he shall insert the names of the candidates for presidential electors for whom he desires to vote in the blank spaces provided therefor under the title of the office "Presidential Electors" In case of a question submitted to the vote of the electors he may make a cross (X) or check (✓) mark in the appropriate square opposite the answer which he desires to give

(d) Before leaving the voting compartment the elector shall fold his ballot without displaying the markings thereon in the same way it was folded when received by him and he shall then leave the compartment and exhibit the ballot to one of the election officers who shall ascertain by an inspection of the number appearing upon the right hand corner of the back of the ballot whether the ballot so exhibited to him is the same ballot which the elector received before entering the voting compartment If it is the same the election officer shall direct the elector without unfolding the ballot to remove the perforated corner containing the number and the elector shall immediately deposit the ballot in the ballot box Any ballot deposited in a ballot box at any primary or election without having the said number torn off shall be void and shall not be counted

Section 4 Section 1223 of the act amended June 19, 1939 (P. L. 450) is amended to read

Section 1223 What Ballots Shall Be counted Manner of Counting Defective Ballots (a) No ballot which is so marked as to be capable of identification shall be counted Any ballot that is marked in blue or blue-back ink [or by anything but] in fountain pen or ball point pen or black lead pencil or indelible pencil shall be [void and not] valid and counted provided that all markings on the ballot are made by the same pen or pencil and that all markings on the ballot are the same type of marking either a cross (X) or check (✓) Any ballot marked by any other mark than an (X) or check (✓) in the spaces provided for that purpose shall be void and not counted Provided however That no vote recorded thereon shall be declared void because a cross (X) or check (✓) mark thereon is irregular in form Any erasure mutilation or defective marking of the straight party column at November elections shall render the entire ballot void unless the voter has properly indicated his choice for candidate in any office in which case the vote or votes for such candidates only shall be counted Any erasure or mutilation in the vote in any office block shall render void the vote for any candidates in said block but shall not invalidate the votes cast on the remainder of the ballot if otherwise properly marked Any ballot indicating a vote for any person whose name is not printed on the ballot by writing stamping or sticker shall be counted as a vote for such person if placed in the proper space or spaces provided for that purpose whether or not an (X) or check (✓) is placed after the name of such person Provided however That if such writing stamping or sticker is placed over the name of a candidate printed on the ballot it shall render the entire vote in said office block void If an elector shall mark his ballot for more persons for any office than there are candidates to be voted for for such office or if for any reason it may be impossible to determine his choice for any office his ballot shall not be counted for such office but the ballot shall be counted for all offices for which it is properly marked Ballots not marked or improperly or defectively marked so that the whole ballot is void shall be set aside and shall be preserved with the other ballots

(b) At November elections a cross (X) or check (✓) mark in the square opposite the name of political party or political body in the party column shall be counted as a vote for every candidate of that party or body so marked including its candidates for presidential electors except for those offices as to which the voter has indicated a choice for individual candidates of the same or another party or body in any office block in which case the ballot for such office block shall be counted only for the candidates thus individually marked notwithstanding the fact that the voter has made a mark in the party column and

even though in the case of an office for which more than one candidate is to be voted for he has not individually marked for such office the full number of candidates for which he is entitled to vote

Section 5 This act shall take effect immediately

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. TOMPKINS. Mr. Speaker, this bill represents a rather radical departure from some of our voting procedures, and in order to have something clarified for the record I would like to direct a question to Mr. Stone, with whom I have discussed the matter.

Do I understand the purpose of this bill, and the import of this bill, is that if you start to use an X in your voting that the X must be used all the way through? In other words, if an X appears on one place in the ballot and a check mark in the other, that would invalidate the ballot?

Mr. STONE. That is my understanding, Mr. Speaker.

Mr. TOMPKINS. If they use check marks all the way through that is perfectly all right?

Mr. STONE. Once you start with a check mark you should continue that way, and the same with the X. The same is true with the type of pen or pencil that you start with.

Mr. TOMPKINS. In other words, if you use pencil you must use pencil all the way through?

Mr. STONE. That is correct.

Mr. TOMPKINS. If you use pen it must be pen all the way through?

Mr. STONE. That is correct.

Mr. TOMPKINS. Any variation from that would invalidate the ballot?

Mr. STONE. That would be my opinion.

Mr. TOMPKINS. A pencil and an ink mark on the same ballot would invalidate the ballot?

Mr. STONE. Yes, sir.

Mr. TOMPKINS. An X and a check mark on the same ballot would invalidate the ballot?

Mr. STONE. Yes, sir.

Mr. TOMPKINS. Thank you.

Mr. STONE. The reason for that, Mr. Speaker, is that we have all been taught there is virtue in consistency.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—177

| | | | |
|------------|-------------------|---------------------|------------|
| Anderson, | Goldstein, J. H., | McKeever, | Royer, |
| Arlene, | Goldstein, M. H., | McLaughlin, | Rudisill, |
| Auker, | Goodrich, | Machmer, | Sakulsky, |
| Balthaser, | Gramlich, | Magee, | Scarcelli, |
| Barton, | Guthrie, | Mahan, | Schaaf, |
| Blair, | Hamilton, | Markley, | Schuster, |
| Boles, | Haudenshield, | Maxwell, | Schwartz, |
| Bonner, | Heavey, | Meholchick, | Shupnik, |
| Bower, | Helm, | Merry, | Silverman, |
| Branca, | Hocker, | Mihm, | Snare, |
| Breth, | Holliday, | Miller, B. Z., | Snyder, |
| Burns, | Holt, | Miller, H. G., | Stank, |
| Capano, | Horst, | Mills, | Stevens, |
| Capitolo, | Irvls, | Muldowney, | Stewart, |
| Cianfrani, | Isaacs, | Mullen, | Stimmel, |
| Cioffi, | Jenkins, | Munley, | Stone, |
| Clarke, | Jim, | Murphy, A. J., Jr., | Stoner, |
| Comer, | Johnson, A. W., | Murphy, P. J., | Stroup, |

| | | | |
|--|--|--|--|
| Crossin, Curwood, Davis, Dennison, Devlin, Donahue, Dougherty, Down, Edwards, Elberg, Eshback, Eshleman, Ewing, Farabaugh, Fetterolf, Filo, Fineman, Floyd, Flynn, Foerster, Frank, Frascella, Galley, Gallagher, Garlock, Gelfand, | Johnson, R., Jump, Kamyk, Kee, Kelser, Kernaghan, Kessler, Knecht, Kornick, Korns, Kovolenko, Lamb, Lee, A. M., Lee, K. B., Leonard, Light, Limper, Lippincott, Lopresti, Luigard, Lutty, McCandless, McCann, McCormack, McDonald, McInroy, | Murray, H. P. Murray, J. J., Murray, P. G., Musto, Naugle, Needham, Nelson, O'Dell, O'Donnell, J. A., O'Donnell, J. P., O'Neill, Parlante, Pashley, Perry, H. H., Perry, P. E., Petrosky, Polaski, Polen, Prendergast, Price, Pursley, Reibman, Reidenbach, Renwick, Rigby, Riley, Rovanske, | Sullivan, Taylor, Thompson, Trusio, Ujobal, Varner, Verona, Wall, Walsh, Wargo, Weldner, Welsh, Wescott, Wheeler, Whittaker, Williams, A. D., Jr., Williams, E. S., Willard, Willaredt, Wood, Wynd, Yatron, Yetter, Zimmerman, Andrews, Speaker |
|--|--|--|--|

NAYS—9

| | | | |
|------------------------------|-----------------|---------------------|---------------------|
| Ashton, Bowman, Brown, | Fox, Fulmer, | Kooker, Ogilvie, | Seltzer, Worley, |
|------------------------------|-----------------|---------------------|---------------------|

NOT VOTING—24

| | | | |
|--|---|--|--|
| Agnew, Bell, Boris, Brenninger, Buchanan, Cooper, | Dengler, Donaldson, George, Gibb, Heffner, Henzel, | Jones, F. R., Jones, T. H. W., Kubitsky, Monroe, Moran, Odorisio, | Sherman, Steckel, Strausser, Tompkins, Wilt, |
|--|---|--|--|

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE ON CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 1115

Mr. SELTZER. Mr. Speaker, I move that the vote by which the Conference Committee Report on Senate Bill No. 1115, Printer's No. 1667, entitled:

"An Act amending the act of May 22, 1933 (P. L. 912) entitled 'Bakery Law' changing certain definitions further regulating marking and labeling conferring additional powers and duties on the Department of Agriculture and further regulating the sale and importation of bakery products."

was defeated by the House on Tuesday, December 18, 1959, be reconsidered.

Mr. LIGHT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lebanon, Mr. Seltzer vote on the final passage of this bill?

Mr. SELTZER. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Lebanon, Mr. Light vote on the final passage on this bill?

Mr. LIGHT. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, we have no objection, as we have stated all during the Session to reconsideration. I would like to ask whoever is making the reconsideration motion whether we will be voting on the bill when it is again brought up.

The SPEAKER. Will the gentleman from Lebanon, Mr. Seltzer, permit himself to be interrogated?

Mr. SELTZER. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman from Lebanon inform the House, on the reconsideration motion dealing with Senate Bill 1115, whether, when reconsidered, it will be brought to a vote immediately?

Mr. SELTZER. Yes, Mr. Speaker.

Mr. McCANN. Mr. Speaker, I desire to interrogate the gentleman from Lebanon for the purpose of informing our Members clearly what bill they are voting on so that they will know their situation.

Mr. SELTZER. Mr. Speaker, the bill we are voting on is Senate Bill 1115, which changes certain definitions, conferring additional powers and duties on the Department of Agriculture, and further regulating the sale and importation of bakery products. It is a bakery bill with regard to the wrapping of baked goods delivered by bakeries using their own trucks.

Mr. Speaker, if there is any continued debate I would like to ask that the gentleman debate with Mr. Light on it as he is more familiar with the intent of the bill. I will answer any questions that I can.

Mr. McCANN. Mr. Speaker, if I remember correctly, Senate Bill 1115, as amended in final print form, was satisfactory to a certain number of Representatives in the House, and I believe one of the men who spoke in opposition to the bill was your fellow colleague from Lebanon County. I believe that your vote was in the negative.

Mr. SELTZER. That is correct.

Mr. McCANN. Have you reversed your position in support of the bill, or just for the purpose of reconsidering the bill?

Mr. SELTZER. I can only state for myself. I have changed my position on the bill.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

Mr. Speaker, I would like to have permission to inform our Democratic Members that this is Senate Bill 1115, which originally had amendments dealing with the Allegheny County Health Department. After being recommended to the Committee on Agriculture and Dairy Industries, it was re-turned to the floor and amended to exclude those particular counties. It was the bill that I, myself, voted in the affirmative for and supported, dealing with the handling of bakery products as we had discussed in our caucus.

This would be the same piece of legislation now before the membership of this House on which the speaking opposition at that time, I believe, was led by Mr. Light of Lebanon County.

I am still in favor of Senate Bill 1115 in its final amended form, and I will again vote in the affirmative in support of this legislation.

Mr. LIGHT. Mr. Speaker, since we voted on this bill, Senate Bill 1115, several days ago, some information has been received by us over here that we did not have possession of at that time.

In the first place it is my understanding that the Department of Agriculture, Bureau of Foods and Chemistry, needs something of this type in order to enforce a part of their food law. The amendment that was under consideration several days ago is the amendment on page 6 beginning with line 8 down to the end of the page and continued on to the next page, and that amendment makes this entirely a "may" proposition. A bakery may appeal to the Department of Agriculture for a concession or for a modification. But at the same time, at the close of the amendment, there is a clause that is a guarantee that I think we should know about. It says there "limited to the sale of the bakery's own products and guaranteed by him to be in compliance with all pure food laws." If I am correctly informed, that last clause was inserted by someone from the Attorney General's office, or at their suggestion. I take this to mean that when a bakery desires to have a modification, or an allowance to modify its delivery, it must proceed in a proper manner, first to the Secretary of the Department of Agriculture. He investigates whether it is necessary to do this. He issues an order only when the bakery guarantees that it will comply with the pure food laws.

Mr. LAMB. Mr. Speaker, I spoke against this bill the last time it was considered. I have been advised, and reliably so, that this bill will certainly prove a hindrance to the operation of county health departments in those counties where they have recognized health departments. I wish to put those Members from counties with their own health units, that this bill may be an encroachment upon the powers of that unit.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—84

| | | | |
|------------|-------------------|--------------------|------------------|
| Ashton, | Garlock, | McCann, | Sakulsky, |
| Balthaser, | Goldstein, J. H., | McCormack, | Schaaf, |
| Barton, | Goodrich, | McInroy, | Seltzer, |
| Blair, | Gramlich, | Machmer, | Slider, |
| Brown, | Guthrie, | Mahan, | Stroup, |
| Capano, | Henzel, | Mills, | Tompkins, |
| Crossin, | Horst, | Murphy, A. J., Jr. | Trusio, |
| Curwood, | Isaacs, | Murray, H. P., | Ujobai, |
| Davis, | Jim, | Musto, | Wall, |
| Dennison, | Johnson, A. W., | Nelson, | Weidner, |
| Donahue, | Johnson, R., | O'Dell, | Wescott, |
| Down, | Jones, T. H. W., | O'Neill, | Wheeler, |
| Edwards, | Jump, | Perry, H. H., | Whittaker, |
| Eshback, | Kernaghan, | Petrosky, | Williams, E. S., |
| Eshleman, | Knecht, | Polaski, | Willard, |
| Farabaugh, | Korns, | Polen, | Willaredt, |
| Fetterolf, | Light, | Pursley, | Wood, |
| Flynn, | Lippincott, | Renwick, | Yatron, |
| Fox, | Lopresti, | Rovansek, | Yetter, |
| Fulmer, | Lulgard, | Royer, | Zimmerman, |
| Galley, | McCandless, | Rudisill, | Andrews, |

Speaker

NAYS—86

| | | | |
|------------|-------------------|----------------|------------|
| Anderson, | Gelfand, | McKeever, | Rigby, |
| Bonner, | Goldstein, M. H., | McLaughlin, | Riley, |
| Bower, | Hamilton, | Magee, | Scarcelli, |
| Bowman, | Haudenschild, | Markley, | Schwartz, |
| Branca, | Heavey, | Maxwell, | Shupnik, |
| Breth, | Helm, | Meholchick, | Silverman, |
| Boles, | Hocker, | Merry, | Stevens, |
| Burns, | Holliday, | Mihm, | Stewart, |
| Cianfrani, | Holt, | Miller, B. Z., | Stimmel, |
| Cloft, | Irvis, | Miller, H. G., | Stone, |
| Clarke, | Kamyk, | Mullen, | Stoner, |
| Comer, | Kee, | Munley, | Sullivan, |
| Devlin, | Kelser, | Murphy, P. J., | Taylor, |
| Dougherty, | Kessler, | Needham, | Thompson, |

Elberg,
Ewing,
Filo,
Fineman,
Floyd,
Foerster,
Frank,
Gallagher,

Kooker,
Kornick,
Kovolenko,
Lamb,
Lee, A. M.,
Leonard,
Lutty,
McDonald,

O'Donnell, J. A.,
O'Donnell, J. P.,
Ogilvie,
Parlante,
Perry, P. E.,
Price,
Reibman,
Varner,
Verona,
Walsh,
Wargo,
Welsh,
Williams, A. D., Jr.,
Worley,

NOT VOTING—38

Agnew,
Arlene,
Auker,
Bell,
Boris,
Brenninger,
Buchanan,
Capitolo,
Cooper,
Dengler,

Donaldson,
Frascella,
George,
Gibb,
Heffner,
Jenkins,
Jones, F. R.,
Kubitsky,
Lee, K. B.,
Limper,

Monroe,
Moran,
Muldowney,
Murray, J. J.,
Murray, P. G.,
Naugle,
Odorisio,
Pashley,
Prendergast,
Reidenbach,
Schuster,
Sherman,
Snare,
Stank,
Steckel,
Strausser,
Wilt,
Wynd,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL No. 2423 FROM THE GOVERNOR

Mr. Price offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, January 4, 1960.

Resolved (if the Senate concur), that House Bill No. 2423, Printer's No. 2133, entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1616

Mr. McCANN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1616.

The SPEAKER. The report will lie over for printing under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. HELM asked and obtained unanimous consent to address the House.

Mr. Speaker, it has been a great deal of pleasure I assure you, to have served in this House of Representatives for a period of ten consecutive sessions or twenty years. During that tenure of office it has been a real pleasure for me to have served with all the fine Members of this Legislature. I think that every man in this House, during those ten terms, has been here with the idea of doing an honest, able, sincere job. I think every Member of this Session of the General Assembly is here for that same purpose.

When I hear that someone, a Member of our own body, tries to becloud the character and integrity of the Members of this House, it sort of rubs my fur the wrong way.

I have had sent to me about three copies of the Erie Times under date of December 30, 1959, and I would just like to read a couple of paragraphs from it to the Members of this House.

The Headline says, "Suspect Bribes Paid in County Pay Raise Bill."

Assemblyman Peter Schaaf told the Erie Exchange Club Tuesday he felt, "some green stuff" changed hands in connection with the state bill boosting salaries of a number of county officials.

"While the vast majority of the legislators are 'honest, hard-working men,' Schaaf said, he feels there are 'four or five bad pennies' who may have accepted cash in connection with the county raise bill.

Some of the raises were a little undeserved, the Assemblyman declared.

Many of us wanted to be a little selective about who was to get the increase. However, the county officials went to work. I feel some of the green stuff was paid to a few of the legislators.

Now, Mr. Speaker, a statement such as this can only put a cloud over this Legislature as a whole. The gentleman from Erie has been quoted in the Press that he believes four or five Members took bribes in connection with the salary raiser. Certainly there is nothing partisan about such a statement. Can he mean that the Democratic-controlled committees of this House have been bought? Can he mean that the Republican leadership in this House has been bought? Can he conceivably mean the Speaker of this House or the Majority Leader of this House have had their votes bought in order to get a bill through this Legislature? I say to you, Mr. Speaker, that such a statement can only bring a cloud over this entire Legislature, and I would like at this time to have the opportunity of interrogating the gentleman from Erie, Mr. Schaaf.

The SPEAKER. Will the gentleman from Erie consent to be interrogated?

Mr. SCHAAF. I shall, Mr. Speaker.

Mr. HELM. Mr. Speaker, I would like to ask the gentleman from Erie if this newspaper report is correctly recorded concerning his statement that some green stuff changed hands in connection with the bill boosting salaries of county officials. Is the gentleman correctly quoted?

Mr. SCHAAF. Substantially, I am, yes, sir.

Mr. HELM. You say there were four or five bad pennies in this House of Representatives who probably accepted cash in connection with this bill. Would you care to name those four or five bad pennies?

Mr. SCHAAF. Mr. Speaker, I am going to take a little time in answering that question.

I forget the precise wording of the quotation, but I think it was prefaced with the word "suspect" or "feel."

In a way I feel a little bit like a now-deceased United States Senator who used to wave laundry lists around. I had hoped that dead dogs would stay dead. This was a matter of local concern and local interest only. I am reliably informed that it was not printed elsewhere in the state. I sincerely regretted making the statement after it had been made. There are obviously, as the quotation indicates, a reflection of my personal feelings.

Also, Mr. Speaker, Mr. Helm has been gracious enough to set forth the report of the newspaper as to my feelings about the bulk of the Membership of this House. I think, although he has not read it, the article also contains a statement of my personal feelings and personal position of my own Membership in the House. I will not, nor would I ever, name specific individuals, but, nevertheless, the newspaper report does quote me correctly.

Mr. HELM. Mr. Speaker, I would like to further interrogate the gentleman by stating since he has refused, of course, to name the four or five bad pennies as he stated, to call to his attention, that it might conceivably be any Member of this House, and therefore, I think that does becloud the integrity of every Member of this House. That is my reason for my bringing it to the gentleman's attention. Does the gentleman then think he knows of any bad pennies in this House who might have accepted cash in connection with this bill?

Mr. SCHAAF. Mr. Speaker, I repeat, I do not know. I feel, I suspect, I apologize with all of my heart for the publicity which was given to these remarks. Somehow, I suppose, I will learn in time, but the publicity given was entirely out of proportion to the elapsed time, you might say, of those remarks. I apologize to each and every one of the 210 Members of this House for those remarks. Beyond that I can only say that the article is correct as to my feelings.

Mr. HELM. I thank the gentleman and would like to tell the gentleman that of course my only intention in bringing this out is to clear the reputation of the Members of this Assembly. The gentleman must certainly know that there are two Republican Members from that county and there are two Democratic Members from that county, and even though, as the gentleman has stated, it may have been a matter of local publicity, it certainly could becloud the reputation of those Members from Erie County. Certainly, if it got state-wide publicity, which it probably can and will, it would becloud the integrity of every Member of this House.

I accept the gentleman's apology and I am sure every Member of this House will accept it. I want to point out that it can do nothing except lower the prestige of this House when some of these statements are made publicly.

Mr. SCHAAF. Mr. Speaker and Members of the House, thanks to the interrogation of the gentleman from Armstrong, I am sure that this cloud will only become larger.

I have no compunction at all about making this apology as I did. There is much that could be said which is perhaps best unsaid.

I thank the membership.

COMMITTEE RECORDS

The Speaker. In accordance with the provisions of House Rule 29, the Chairmen of the Standing Committees of the House are required to file with the Chief Clerk bills and all other papers in the possession of the committees on final adjournment of the House, including Committee Record Books. The Chairmen are directed, at their earliest convenience, to comply with the provisions of this Rule.

RESOLUTION

CONDOLENCE

Messrs. CLARKE, FOERSTER, FILO, BOIES, KAMYK, McLAUGHLIN, LEONARD, LUTTY, LAMB, SCHUSTER, J. J. MURRAY, JENKINS, WALSH, MIHM, MORAN, DEVLIN, GOLDSTEIN, STEVENS, THOMPSON, HAUDENSHIELD, EWING, RIGBY and RUDISILL offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, January 4, 1960.

Katharyne Ann Irvis, the wife of our colleague K. Leroy Irvis, died on December 26, 1959, following an attack of pneumonia. Solemn Requiem Mass was held at 12:00 noon December 29, 1959 at St. Paul's Cathedral, Pittsburgh, Pennsylvania. Interment was in Springfield, Massachusetts.

Mrs. Irvis, born in Springfield, Massachusetts on December 21, 1921, attended Tuskegee Institute, Alabama, Teachers College of Columbia University, New York City, New York, and graduated with highest honors from Prairie View College, Texas. She was married to K. Leroy Irvis fourteen years ago on February 21, 1945 and shortly thereafter they moved to Pittsburgh.

Mrs. Irvis early in life gained recognition as an outstanding athlete. In 1946 she won the National Women's Singles Tennis title of the American Tennis Association, the same title later won by Althea Gibson, a close friend. In addition she was women's tennis champion of both the New England States and the Bahama Islands.

Mrs. Irvis taught in the local schools in Pittsburgh and was active in social and charitable work in several cities throughout the United States, especially in Baltimore. Her great interest in politics was a continual source of help, inspiration and encouragement to her husband's career in government. In addition to her other activities Mrs. Irvis was active in the Urban League Guild of Pittsburgh, National Association for the Advancement of Colored People, National Council of Negro Women, Democrats for United Action and the Anna B. Heldman Center, formerly Irene Kaufmann Settlement of Pittsburgh.

Mrs. Irvis was extremely well liked in the community. Her tact and warmth paved the way in making friends with great numbers of people from all walks of life.

Surviving Mrs. Irvis are her husband, the Honorable K. Leroy Irvis, 2170 Centre Avenue, Pittsburgh 19, Pennsylvania, her parents Dr. and Mrs. William B. Jones, a brother Dr. William B. Jones, Jr., and two sisters Dr. Yvonne Jones and Zora Jones, all of Springfield, Massachusetts; therefore be it

Resolved, That the members of this House of Representatives hereby extend their heartfelt sympathy to our friend and colleague, K. Leroy Irvis and the other members of her family in their hour of loss and grief; and be it further

Resolved, That copies of this resolution be sent to K. Leroy Irvis, 2170 Centre Avenue, Pittsburgh 19, Pennsylvania and to her parents Dr. and Mrs. William B. Jones, Springfield, Massachusetts.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I am not a man ordinarily at a loss for words, but on this occasion the only thing I can find words to say is, thanks to the Members of this great House for both their courtesy and their condolence.

My sincere thanks to certain specific Members of this House, James Clarke, Thomas Foerster and Thomas Lamb, who, when I was incapable of thought or action, stepped in to protect my wife's memory and to help me.

I thank you very much.

RESOLUTION

CONDOLENCE

Messrs. WEIDNER and YATRON offered a resolution which was read, considered and unanimously adopted as follows:

In the House of Representatives, January 4, 1960.

Mahlon F. LaRue, a former member of the House of Representatives, died on January 1, 1960, at the age of 61.

Mr. LaRue represented the Second District of Berks County in the House of Representatives from 1935 to 1937.

Mr. LaRue, the operator of a hardware store in Shillington, Pennsylvania, since 1922, was a past president and director of the Shillington Savings and Loan Association, having served as an officer for thirty-one years and was a

past president of the Isaac Walton League. He was also a member of the Masons, the Shrine, and numerous other fraternal and civic organizations.

The outstanding contributions of Mahlon F. LaRue to his community, his state and to his fellow citizens throughout his lifetime marked him as a man of exemplary character and one who will be sorely missed. Therefore be it

Resolved, That the members of the House of Representatives of the Commonwealth of Pennsylvania hereby extend their sincere condolences to the survivors of Mahlon F. LaRue upon his death; and be it further

Resolved, That a copy of this resolution be transmitted to his widow, Kathryn (Bastian) LaRue, Shillington, Pennsylvania.

RESOLUTIONS

Mr. SILVERMAN offered a resolution which was filed with the Clerk under the Rules.

Mr. RIGBY offered a resolution which was filed with the Clerk under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 63.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" prohibiting race or speed contests including those known as drag races on highways and providing penalties and suspension of operating privileges.

SENATE BILL No. 993.

An Act amending the act of June 1, 1956 (P. L. 1987) entitled "An act authorizing the Department of Highways with the approval of the Governor to erect and construct a toll bridge over the Monongahela River connecting the State highway system in Washington County with the system of State highways in Fayette County and to provide the necessary approaches and connections with such State highways; . . ." naming the bridge the William J. Lane-Eustice H. Bane Bridge.

SENATE BILL No. 1030.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire the surface or right of soil only of a tract of land in the Borough of Dunmore County of Lackawanna Pennsylvania for the use of the Department of Revenue and making an appropriation.

SENATE BILL No. 1043.

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 1043

The Clerk of the Senate being introduced, informed

that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 1043.

An Act amending the act of May 1, 1907 (P. L. 135) entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas and orphans' courts courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace of this Commonwealth as well as before commissioners masters and special masters in chancery referees examiners auditors and other officers * * *" further providing for the giving of copies of notes of testimony in criminal cases.

PERMISSION TO ADDRESS HOUSE

Mr. O'DELL asked and obtained unanimous consent to address the House.

Mr. Speaker, I think the majority of the House Members are business people; the majority of us have our own offices. I am sure that if we worked under some of the conditions that we work under here in Harrisburg we would get a new office.

I am thinking particularly about the telephones out in the anteroom. This afternoon I had occasion to place a long distance call. The long distance booths downstairs, have the new wall telephones and you have a small desk, you might call it, in the corner to put your papers on. I know that I have tried to use the telephones out here and if you have three or four papers they fall off the desk. Go by these sometime and see somebody with long legs sitting in there trying to hold papers.

I wonder if it would be possible—and I would like to compliment the Officers of the House, they have done everything within their power to make life for the Legislators easier—I wonder if it would be possible to have these desk phones ripped out of these four booths in the anteroom and have the wall phones installed and perhaps enlarge the little desk in the corner just a little bit. Many of us call different departments and we lay papers down on those desks, call telephone numbers and so forth, but it is pretty hard when the phone takes up the entire desk and do your writing on your papers on your lap. I wonder if anyone else in the House might have the same idea.

The SPEAKER. The Chair can assure the gentleman from Erie that before the General Assembly convenes next year considerable remodeling along the lines suggested, not only there but in other places, will positively be made.

PERMISSION TO ADDRESS HOUSE

Mrs. MONROE asked and obtained unanimous consent to address the House.

Mr. Speaker, Officers and Members of the House of Representatives, I rise to thank each and every Member on both sides of the House for their nice feelings and thoughts that they expressed for me while I was away sick.

I thank you again and God bless you.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 4, 1960.

Resolved (if the Senate concur), that House Bill No. 2423, Printer's No. 2133, entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey one hundred sixteen acres more or less of land situate in Potter Township Centre County," be recalled from the Governor for the purpose of amendment.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, may we take a moment of time to enlighten the House as to our tentative plans for tomorrow.

I do not have an affirmative telephone call from the Senate at this point, but it was tentatively discussed that the House and the Senate would convene on Tuesday at 10:00 a. m. The Senate is still working, and in talking to Senator Berger on the phone, they do not yet have the time agreed to start tomorrow morning. The sine-die resolution to close out the 1959 Session would be transmitted from the House to the Senate and adopted by the Senate in the tentative plan, and the proper committees would inform the Governor and the Senate that the 1959 Session would be closing.

The new session would begin at 12:00 noon, but before that, up until 12:00 o'clock noon, we have the conference committee report on 1616, which is being printed now. We will vote on it tomorrow morning.

On House Bill 1108 the conference committee is again going into meetings and has been meeting all day.

On House Bill 2459, up to this point, unless there are some changes, I am somewhat disappointed for there have not been any meetings on the part of the Senate conferees unless they agreed to meet from this point on. Of course, Senator Kessler, a member of that conference committee, as I stated earlier, is ill. I had asked the Minority Leader to assist and try to see if this conference committee could not possibly meet. I hope that they do, and that they do present a conference committee report on House Bill 2459.

We will be receiving from the Senate the bill board legislation. We will be receiving, it is believed, House Bill 2388, with amendments to concur in, which deals in highways. Very likely we will be receiving two other bills from the Senate.

All of this is a part of the 1959 Session until 12:00 noon tomorrow morning. At 12:00 noon the new Session will begin. The Committees will notify the Governor and the Senate accordingly.

Sometime tomorrow, following that, I am going to ask for a Democrat Caucus because the conferees will be reporting the positions of items that pertain to the 1960 Session.

The Ground Rules Committee, as it is commonly called, has tentatively scheduled a meeting for 9:00 a. m. tomorrow. I believe that committee is Mr. Schwartz of Philadelphia, Mr. Bowman of Dauphin, Senator Ruth, Senator Berger and one other appointment.

The Governor will address the Joint Session at 4:00

o'clock. The speech will be brief and the Session will be over for this week, or as agreed to in whatever action the caucuses may take regarding interim periods, recesses or sine-die. Those will be the items that will be discussed in our caucus tomorrow and the Democrat Members will elect a new Member to the position made vacant by the resignation of our Whip, the Honorable Mary Varallo, who has been sworn in as a councilwoman in the city of Philadelphia.

With that in mind, we should be able to complete our activity tomorrow night in good time for this week. I ask now that all the Members of this House be here tomorrow morning so that we may move along on some of these items which may be controversial, but they will all have to be done before noon.

With that in mind, as we will wait for Senate messages, I hope the conference committees now working can complete their reports and present them, if necessary, during the evening to the Speaker or the Chief Clerk for the purpose of printing.

Mr. Speaker, may I interrogate the gentleman from McKean, Mr. Johnson?

The SPEAKER. Will the gentleman from McKean, Mr. Johnson, permit himself to be interrogated?

Mr. A. W. JOHNSON. I shall, Mr. Speaker.

Mr. McCANN. Mr. Speaker, will the gentleman inform us as to his desire regarding a caucus on House Bill 317, Printer's No. 2099; regarding House Bill 2388, and also a reconsideration resolution, if it should be presented tomorrow on Senate Bill 1232, Printer's No. 1561, the bridge bill; and the conference committee reports that will be printed.

Mr. A. W. JOHNSON. Mr. Speaker, the answer would be that I would prefer that those matters lie over for the caucus tomorrow, that is, the bill board bill and House Bill 2388. You may offer the resolution on 1232 right now if you care to and perhaps put that on the calendar for tomorrow.

I want to announce to the Republican side that we will caucus tomorrow on the conference reports that you have mentioned, and we also would like to caucus tomorrow on these three bills that you have just mentioned.

Mr. McCANN. Mr. Speaker, would the House, if it should convene at 10:00 a. m., we have from 10:00 to 12:00 noon in the present Session, may I ask the gentleman from McKean when he would plan to caucus so that we could tie our caucuses together in time?

Mr. A. W. JOHNSON. I would be pleased to have the caucus immediately after the falling of the gavel tomorrow morning, 10:05.

Mr. McCANN. Mr. Speaker, I thank the gentleman from McKean, Mr. Johnson.

With that request the House will convene then very likely at 10:00. At 10:05, immediately following the prayer there will be a caucus on these items for a period of 30 minutes. Is that satisfactory, sir?

The SPEAKER. The Chair desires to observe that in view of the corners that must be turned, the Leaders are going to be in a rather tight corner to make the curve because the Chair does not understand how it will be able to escape the duty of convening the 1960 Session of the General Assembly promptly at 12:00 o'clock noon.

Mr. McCANN. Mr. Speaker, after a conference, we are

going to request that this House convene at 9:30 a.m. tomorrow. We are asking every Member of this House to please be here at the opening of the Session tomorrow and attend their respective caucus because House Bill 317, the billboard bill, will be debated and will be a controversial piece of legislation that will be covered as well as the Conference Committee Reports. They will be here. Some will be printed and, we hope, there will be one that will be printed during the night.

With that, Mr. Speaker, we would like to have our motion for tomorrow read at 9:30 a.m., hoping to get done before noon, sir.

The SPEAKER. The Chair might inquire, would it be possible for the leadership to limit the time of debate on particular motions?

Would the House stand for that?

Mr. McCANN. Mr. Speaker, I had in mind, and I hope it will be satisfactory, that when they caucus tomorrow each Party will get an indication of the number of people wanting to debate the bill and the length of the debate so that we can see whether it is only a matter of two or three people or many more. Then, we will try to set some rules.

I wanted to clear one point about Conference Committees. It is possible yet, not impossible, that the Conference Committee during the night may possibly write a report. I am asking that the Chief Clerk's office remain open, if necessary, to receive Conference Committee reports during the night. We will be able to notify each of the Chairmen of the Conference Committees so that should a report be received it will be printed during the night.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE CONCURRENT RESOLUTION RECALLING HOUSE BILL No. 2423 FROM GOVERNOR.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, January 4, 1960.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 2423, Printer's No. 2133, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

DAVID L. LAWRENCE.

RECONSIDERATION OF VOTE

Mr. PRICE. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. TOMPKINS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Mifflin, Mr. Price vote on the final passage of this bill?

Mr. PRICE. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Cameron, Mr. Tompkins vote on the final passage of this bill?

Mr. TOMPKINS. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. PRICE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PRICE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend the title, page 1, line 3 of the title, by inserting after "convey" "at public sale."

Amend Section 1, page 2, line 4, by inserting after "convey" "at public sale in accordance with applicable law."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1971

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1971.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1980

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill numbered and entitled as follows:

HOUSE BILL No. 1980.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the marking and counting of ballots.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 866.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing names of State Teachers' Colleges.

With the information that the Senate has passed the same without amendment.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, I previously made the statement that we would like to have House Bill 317 on the calendar and caucus on it tomorrow. I believe on such an important question our caucus should decide the disposition of that bill and I would, therefore, like the privilege of calling a Republican caucus immediately for the purpose of considering the decision with respect to that particular bill and any other bill that we might be able to consider at this time. The caucus should last 20 minutes.

Mr. McCANN. Mr. Speaker, I ask that our membership get House Bill 317, Printer's No. 2099, out of the folders. This will be the controversial bill that we will discuss in our caucus immediately. I ask that all our Members please, when the motion is made, come to the House Caucus Room so we may find out who wants to speak for or against the bill, how many votes there are for and against the bill. That is House Bill 317, Printer's No. 2099.

RECESS

The SPEAKER. Without objection, the Chair declares a recess for one-half hour.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 317.

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property used in connection with such devices by the Secretary of Highways and providing penalties for violations.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 2, by striking out after the word "interest" the following: "to regulate the use of advertising devices adjacent to the national system of interstate and defense highways for the protection of the scenic beauty of lands bordering on such highways" and inserting in lieu thereof the following: "and for the pub-

lic welfare to promote the safety convenience and enjoyment of public travel and the free flow of intrastate and interstate traffic to protect the public investment in the national system of interstate and defense highways and to preserve scenic beauty adjacent to such system by controlling the erection and maintenance of advertising devices adjacent to that system"

Section 2, page 2, line 18, by striking out after the word "with" the words and figures "Public Law 627 the Federal aid Highway Act of 1956" and inserting in lieu thereof the words and figures "title 23 United States Code"; page 3, line 3, by striking out after the word "that" the words "the secretary of highways may in his discretion exempt from the provisions of this act" and inserting in lieu thereof the words "this act shall not apply to"; line 8, by inserting after the word "is" the words "now or shall be hereafter"; line 10, by inserting after the word "is" the words "now or shall be hereafter"; line 19, by striking out after the word "erected" the words "in the area in which" and inserting in lieu thereof the words "on the premises where"; page 4, by striking out after the word "system" on line 6 the following: "provided however that such advertising devices shall be approved by the secretary of highways as to their size and number"

Section 3 Renewal of Leases Prohibited No lease license contract or agreement for advertising devices prohibited by section 2 of this act which expires after the effective date of this act may be renewed but an option acquired before the effective date of this act may be exercised provided that no lease license contract or agreement entered into pursuant to such option may extend for a period of longer than three years from the date of the exercise of the option

line 15, by striking out after the word "Section" the numeral "4" and inserting in lieu thereof the numeral "3"; page 5, by striking out all of lines 3, 4, and 5, as follows:

(b) Condemnation as provided in this section shall be effective upon notice by the Secretary of Highways by registered mail to the owner of the property taken

line 6, by striking out at the beginning of the line the letter "(c)" and inserting in lieu thereof the letter "(b)"; line 9, by striking out after the word "section" the numeral "5" and inserting in lieu thereof the numeral "4"; page 6, by inserting at the beginning of line 1, the words "or agricultural products grown or produced"; by inserting after line 13 the following:

(d) The provisions of this act shall not apply to any sign painted on the surface of any building

line 17, by striking out after the word "Section" the numeral "6" and inserting in lieu thereof the numeral "5"; page 8, line 16, by striking out after the word "Section" the numeral "7" and inserting in lieu thereof the numeral "6"; page 9, line 1, by striking out after the word "Section" the numeral "8" and inserting in lieu thereof the numeral "7"; line 8, by striking out after the word "Section" the numeral "9" and inserting in lieu thereof the numeral "8"; page 10, line 10, by striking out after the word "Section" the number "10" and inserting in lieu thereof the numeral "9"; line 8, by striking out after the word "act" the following: "and any person or persons who shall suffer such device to be erected or maintained on his property" line 13, by striking out after the word "offense" the word and number "section 11" and inserting at the beginning of line 14 the word and number "Section 10".

On the question,

Will the House concur in the amendments made by the Senate?

McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Mr. M. H. GOLDSTEIN. Mr. Speaker, House Bill No. 317 has had a long and hard course through the House and Senate.

As you recall, during the debate on the bill in this body I was very anxious that the bill should pass in a form so

that the legislation would qualify for aid from the Federal Government. At that time I was uncertain as to whether it would qualify.

The purpose of the bill has been changed in the Senate so that it will comply with the Federal Act. There are other provisions of the act as amended by the Senate which would perhaps make it uncertain of qualification. However, this bill has a two-fold purpose. First, to make it possible that the great Commonwealth of Pennsylvania will have its interstate highways not marred by billboards, and secondly, to qualify for aid from the Federal Government. Because I believe that the initial purpose is so important to this Commonwealth, and because I believe should the second purpose be doubtful of validity that it could return in a subsequent session, I urge every Member on both sides of the House to vote for House Bill 317 as amended.

No legislation is perfect, but I say to you that this is a step forward and by voting for it you will aid Pennsylvania to become a greater state.

Mr. A. J. MURPHY. Mr. Speaker, when this bill was previously considered by the House we had considerable debate and were informed by the Chairman of the Highways Committee that this bill was originally introduced to bring some financial benefit to the highways and the highway funds of the Commonwealth of Pennsylvania.

I would now like to remind the Members of the House that because of the various amendments put into this bill, not only by the House but by the other chamber, that we are now totally unqualified to receive any funds from the Federal Government for the condemnation of land, if necessary, to prohibit the erection of sign boards and posters along the Federal highways. By passing this act, concurring in these Senate amendments, should the bill eventually be signed by the Governor, it would mean that we are mandating and directing the Department of Highways to expend these funds from the Commonwealth of Pennsylvania Highways funds and not to receive any reimbursement from the Federal Government.

We are in essence directing our Highway Department to spend the money that should be used for road construction to condemn certain rights-of-way in the use of the land along Federal projects. I certainly think there are some merits to the contentions of those supporting this bill from an aesthetic viewpoint, and although I do not agree with those gentlemen, they have some merit in their argument.

I say this, we should not direct our administration, our Department of Highways to take funds from the construction of our state roads, our secondary roads, our highways and use it for condemning 1300 and some feet on either side of Federal roadways for any purpose, whether it be signboards, service stations or any type of business. We are spending money that we should spend for road construction and you all know we need such moneys, and we should not be spending it so promiscuously on prohibiting some use of land.

I would like to call to your attention the statement of the Chairman of the Highways Committee of this honorable body, Mr. Comer, when he stated, I believe more or less for financial benefit, in answer to a question on what benefit this would be to the Commonwealth.

There would be no financial benefit, ladies and gentlemen. I might say that as the other chamber has amended

the bill it makes it mandatory now that this bill shall not apply to municipalities where there are real estate regulations. I think all of us are familiar with our local municipal laws and regulations and we know that generally cities and boroughs have such regulations and generally township and rural areas do not have such regulations. So as the other chamber has amended this bill it now applies mainly, to townships but it will not apply to the cities and boroughs who generally have or may hereinafter as the bill states regulate the uses of the land.

I would also like to call to your attention an amendment by the other chamber which excludes, where it states on page 3, "where the land used is now or shall be hereafter clearly established as industrial or commercial." That would mean that you may erect sign boards and so forth along commercial or industrial properties but you may not erect such signboards on farmlands. Again, the farmlands are primarily discriminated against. I think that is possibly why the State Grange Association has come out in opposition to this particular legislation as it is now amended.

Along with these amendment, of course, were the original objection that many people had to the bill, that of the taking away of some income from property owners that they have when they lease their ground up to anywhere from \$10 to \$15 a year. I think now the way the bill is amended there is no possibility of the Commonwealth securing any funds from the Federal Government and that we should not here direct our Department of Highways to take road construction money and spend it buying someone's property.

Mr. McCORMACK. As you know, Mr. Speaker, when House Bill 317 was first introduced I was one of the sponsors of the bill. Sometime subsequently the bill had been so amended and changed and rather emasculated that I took a somewhat unprecedented step in asking leave to withdraw my name as sponsor.

I did that to dramatize in a sense what had been happening with respect to this bill board legislation, in the hope that at some subsequent time in this Legislative Session there would be a new bill or amendment that would restore the bill to its original form. We have this amended bill on the calendar now, and as you know it is in the closing days of the 1959 Session. I think at this particular time we should be practical. We are faced with the question of whether or not this Legislature should adopt a policy with respect to control of billboards along the interstate and defense highways of this Commonwealth. It is either some control or nothing at all. There is no time left for further changes in the bill, and we have here a bill that would at least set forth the policy of this Commonwealth.

Section 1 of this bill was amended originally and that was one of the reasons I withdrew, because it changed the legislative findings, but I think the legislative findings as further amended by the Senate should be imprinted clearly in our minds so we can decide at this particular time whether or not we want to accede to the wishes of those civic organizations throughout the Commonwealth of Pennsylvania that are vitally concerned with the menace that highway users are faced with in the form of multi-billboards, both in size and in number.

I think if we read the legislative findings today we cannot help passing this amended bill. The findings as

amended are as follows: The General Assembly finds that it is in the public interest and for the public welfare to promote the safety, convenience and enjoyment of public travel and the free flow of interstate and intrastate traffic, to protect the public investment in the national system of interstate and defense highways and to preserve scenic beauty adjacent to such system by controlling the erection and maintenance of advertising devices adjacent to that system.

There is nowhere set forth in the legislative findings of Section 1 that it is the purpose behind this legislation to get money from the Federal government. I think when that was raised preliminarily, when this bill was before us previously, it was secondary to the original purpose. This is really the only purpose upon which we are called upon to approve this legislation, the findings in Section 1. I think they are valid findings, and I think we should concur and set forth once and for all that we are aware of the problem that exists and that subsequently we can amend this Act, if it becomes law, to conform with the findings by the Secretary of Highways and by this Legislature. So, I would ask that both sides concur.

Mr. AUKER. Mr. Speaker and Members of the House, I can concur very heartily with what the gentleman from Washington, Mr. Murphy, stated and I certainly disagree with my colleague from Allegheny County as to the proper exercise of lease powers as set forth in this bill. I do not think any state can take 660 feet of land away from either side of any kind of highway and say to that landowner, you cannot do with that as you see fit. Possibly 50 feet, yes, within the eyes of the traveling public, possibly 50 yards, but we are talking about 330 yards from each side of the highway, and that is a considerable distance, believe me. I do not think on Constitutional grounds this bill can ever stand up under those provisions.

I want to point out, too, on page 6, that subparagraph D, and I want to read it: "The provisions of this Act shall not apply to any sign painted on the surface of any building." Any building. Now, what is a building? Four brief sides, four posts to support it and a little roof over it. You paint a sign on it. Keep it up and you can erect a billboard. You mean to tell me that is going to correct scenic beauty in Pennsylvania to allow any landowner to put up any kind of a building that he wants to put up on his grounds and put an advertising sign on it? It does not restrict the size of the building, it does not restrict how many buildings he may put up to put signs on. There are no restrictions whatsoever. That paragraph completely nullifies anything you are trying to do toward scenic beauty and advertising billboards over this Commonwealth. It is a monstrosity with that section in it.

Mr. FARABAUGH. Mr. Speaker, I listened with interest to the debate on this bill and its amendments and I am quite disturbed about the thought that some folks here in the Legislature seem to have about the privilege that should be given to the Highway Department to go out and condemn 660 feet on each side of the highway to, as I see it, principally make a more scenic highway.

I would like to inform the Members of the Legislature who seem to be interested in this type of legislation that while it may be rather harmless in a lot of ways in its present form it is just one of those methods of getting your foot in the door where you can go out and control the land that some farmer is trying to scratch a living out

of and tell him what he can do or what he cannot do on a certain strip of land on that farm. I personally think it is so ridiculous that it is not worth the time of debate.

However, there are a lot of people here who think differently. If you will notice on page 6, beginning on 5 and continuing on page 6, where agricultural products cannot be advertised along his own farm, unless the Secretary of Highways so desires. Now, to me, that is going pretty far.

The people who are trying to make a living in agriculture today are having enough difficulty without having the state spend our tax money that should be helping on some of their dirt roads to go out and spend that same money along the better highways to make them look better for those people in the city who come out and drive over them principally for looks. I hope the people in this House will have a little thought for the farmer and oppose this bill.

Mr. McCANN. Mr. Speaker, at this late hour on a Monday evening I know that the words I am going to say will fall on many deaf ears, for I am pretty well convinced of what the result will be here today.

I do want to correct a couple of things in the record. The section the gentleman from Cambria, Mr. Farabaugh, spoke of, which is listed as section 4, subsection (3), beginning on page 5, deals with permitting the farmers to advertise their agricultural products. You read the first part of the section and then read subsection (3), it deals with that.

Then to the gentleman from Blair, Mr. Auker, evidently in the years of his lifetime in this Commonwealth he never heard of the old Mail Pouch sign on a barn, because if he reads subsection (D) and understands it, "The provisions of this Act shall not apply to any sign painted on the surface of any building," regardless of whether the building is located within a right-of-way range. He will find it deals with just that very old sign that I guess for a hundred years has been a part of Pennsylvania, where dear old Mail Pouch was painted on the side of the barn and said "Chew Mail Pouch," or something, I do not know, just what.

This is a step in the right direction. This legislation is no way near that legislation that we debated in this House many months ago, outside of the preamble section which Mr. Goldstein from Allegheny County debated and, I believe, even offered an amendment to similar to the words that you will find on page 2. I think we could pretty well agree in the end that perhaps that was needed.

This bill is a long way from the bill that we had written here in the House in which we stated clearly the position of the bill dealing with future roads on the interstate system, subsidized or aided by Federal funds.

But, Mr. Speaker, since this is the best that seems to have arrived in this House from the Senate, all I can say is that I ask that this House do concur in the amendments placed in the bill by the Senate, and vote affirmatively on the roll call—so that no one else will have to ask—slowly, clearly and very distinctly.

Mr. FARABAUGH. I would like to read one short paragraph to correct the statement that has been made here about what I said.

Section 4, Exceptions, Regulations of Secretary
(a) "The following advertising devices may be constructed erected and maintained subject to

regulations which the Secretary of Highways shall promulgate relating to their location, number, size—"

So I was right in the beginning.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—95

| | | | |
|------------|-------------------|-------------------|-----------------------|
| Anderson, | Goldstein, M. H., | Luigard, | Perry, P. E., |
| Arlene, | Hamilton, | Lutty, | Petrosky, |
| Branca, | Haudenshield, | McCann, | Polaski, |
| Cianfrani, | Heavy, | McGormack, | Rigby, |
| Cioffi, | Henzel, | McDonald, | Riley, |
| Clarke, | Holt, | McKeever, | Rudisill, |
| Comer, | Irlis, | McLaughlin, | Sakulsky, |
| Crossin, | Isaacs, | Magee, | Scarcelll, |
| Devlin, | Jim, | Mahan, | Schaaf, |
| Donahue, | Johnson, R., | Merry, | Schwartz, |
| Dougherty, | Jones, F. R., | Mihm, | Shupnik, |
| Eilberg, | Jones, T. H. W., | Miller, B. Z., | Stevens, |
| Ewing, | Kamyk, | Mills, | Stewart, |
| Fetterolf, | Kee, | Monroe, | Stone, |
| Filo, | Kernaghan, | Muldowney, | Sullivan, |
| Fineman, | Kooker, | Mullen, | Taylor, |
| Floyd, | Kornick, | Munley, | Thompson, |
| Foerster, | Lamb, | Musto, | Verona, |
| Fox, | Lee, A. M., | Needham, | Wargo, |
| Frascella, | Lee, K. B., | Nelson, | Welsh, |
| Galley, | Leonard, | O'Donnell, J. P., | Wheeler, |
| Gallagher, | Limper, | Parlante, | Williams, A. D., Jr., |
| Garlock, | Lippincott, | Pashley, | Yetter, |
| Gelfand, | | | |

NAYS—74

| | | | |
|------------|-------------------|---------------------|------------------|
| Ashton, | Flynn, | Machmer, | Silverman, |
| Auker, | Frank, | Markley, | Snare, |
| Balthaser, | Fulmer, | Meholchick, | Snider, |
| Barton, | Goldstein, J. H., | Miller, H. G., | Stank, |
| Blair, | Goodrich, | Murphy, A. J., Jr., | Stimmel, |
| Bonner, | Gramlich, | Murphy, P. J., | Tompkins, |
| Boris, | Guthrie, | Murray, H. P. | Wall, |
| Bower, | Helm, | O'Dell, | Weidner, |
| Bowman, | Hocker, | O'Donnell, J. A., | Wescott, |
| Brown, | Holliday, | Ogilvie, | Whittaker, |
| Burns, | Horst, | O'Neill, | Williams, E. S., |
| Capano, | Johnson, A. W., | Perry, H. H., | Willaredt, |
| Curwood, | Kelser, | Prendergast, | Wood, |
| Davis, | Kessler, | Price, | Worley, |
| Dennison, | Korns, | Pursley, | Wynd, |
| Down, | Kovolenko, | Renwick, | Yatron, |
| Edwards, | Lopresti, | Rovasek, | |
| Eshback, | McCandless, | Royer, | Andrews, |
| Farabaugh, | McInroy, | Seltzer, | Speaker |

NOT VOTING—41

| | | | |
|-------------|-----------|----------------|------------|
| Agnew, | George, | Murray, J. J., | Stoner, |
| Bell, | Gibb, | Murray, P. G., | Strausser, |
| Boles, | Heffner, | Naugle, | Stroup, |
| Brenninger, | Jenkins, | Odoristo, | Trusio, |
| Breth, | Jump, | Polen, | Ujobai, |
| Buchanan, | Knecht, | Reibman, | Varner, |
| Capitolo, | Kubitsky, | Reidenbach, | Walsh, |
| Cooper, | Light, | Schuster, | Willard, |
| Dengler, | Maxwell, | Sherman, | Wilt, |
| Donaldson, | Moran, | Steckel, | Zimmerman, |
| Eshleman, | | | |

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 866.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) changing names of State Teachers' Colleges.

HOUSE BILL No. 1971.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday in hotels in cities of the first and second class under certain conditions.

HOUSE BILL No. 1977.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) authorizing and providing procedures whereby certain qualified registered electors absent from or unable to attend their regular polling places may cast their votes * * * further regulating the dates for furnishing information as to offices to be filled for filing and circulating nomination petitions and nomination papers and providing penalties.

HOUSE BILL No. 1980.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the marking and counting of ballots.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. SILVERMAN, SCARCELLI, PARLANTE, McKEEVER and McCORMACK RESOLUTION (Not Printed).

ADJOURNMENT

Mr. POLASKI. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 5, 1960 at 9:30 a.m. EST.

The motion was agreed to, and (at 6:49 p.m. EST,) the House adjourned.

Legislative Journal.

Session 1959.

143rd of the General Assembly.

Vol. 36.

HARRISBURG, PA., TUESDAY, JANUARY 5, 1960.

No. 128.

SENATE

TUESDAY, JANUARY 5, 1960.

The Senate met at 10:30 o'clock a.m.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Berks, Mr. RUTH:

Almighty God, our heavenly Father, as we come to the end of a year and the end of a Session, and we look back over the past, we thank Thee for the many opportunities that have come to us to render service to Thee and to our fellow man. We know that because of human weakness, we have failed sometimes, but we pray that the many things we have done for good will far outweigh those instances in which we failed, and we ask Thy forgiveness.

As we go into a new year and a new Session, it is just like traveling a new road. Each turn will open up new opportunity, a new view, and we pray for strength and courage to meet all things that come to us in a manifold way. If it is a cross, we pray for the patience to bear it. If it is a crown, we pray for the humility to wear it, so that in all our doings and in all our thinking, we may be pleasing to Thee.

We ask it in Thy Holy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. BLASS, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives being introduced, informed the Senate that the House has adopted Report of Committee of Conference on **HB 1977**.

HOUSE NONCONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has non-concurred in amendments made by the Senate to **HB 317**.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO **HB 317**

Mr. BERGER. Mr President, I move that the Senate insist upon its amendments concurred in by the House to the foregoing bill.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 866, 1917, 1977 and 1980**.

resolutions reported from committee

Mr. BERGER, from the Committee on Rules, reported without amendment, Senate Resolution, **Serial No. 97**, entitled:

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE HIGHWAY SYSTEM AND ALL OF ITS RELATED PROBLEMS

Mr. BERGER asked and obtained unanimous consent for the immediate consideration of Senate Resolution, **Serial No. 97**.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, before we vote on this resolution, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDENT. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. WEINER. Mr. President, would the gentleman please advise us whether, by this resolution, he intends to investigate the Department of Highways?

Mr. BERGER. Mr. President, the purpose of this resolution is to conduct a study of all phases of the highway situation in Pennsylvania and is not, in any sense, intended to call for an investigation.

I have here an amendment which I intend to offer immediately for that purpose.

Mr. WEINER. Mr. President, will the gentleman advise the Members of the Senate whether the amendment will strike out the word "investigate" and substitute the word "study," so that an over-all picture can be had as a result of this resolution, rather than looking into any particular department or phase of the department's work, thereby possibly hindering that work?

Mr. BERGER. Mr. President, the amendment which I have in my hand strikes out the word "investigations" where it appears in the resolution. It does not substitute the word "study" because that word is already in the resolution.

Mr. President, I now desire to offer an amendment to this resolution.

The amendment was read by the Clerk as follows:

Amend resolution, page 2, first resolve by striking out the words "investigate and".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Will the Senate adopt the resolution, as amended?

SENATE RESOLUTION, SERIAL NO. 97, ADOPTED AS AMENDED

Mr. BERGER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 97, as amended.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted, as amended.

REPORTS FROM THE JOINT STATE GOVERNMENT COMMISSION

Mr. MALLERY submitted the following communications and reports from the Joint State Government Commission.

The communications were read by the Clerk as follows:

GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA

JOINT STATE GOVERNMENT COMMISSION

P. O. Box 61

Room 405—Capitol BUILDING

HARRISBURG

January 5, 1960

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith Official Comments, Re Amendments to Decedent's Estates Laws, 1957 Session of the General Assembly of the Commonwealth of Pennsylvania.

Respectfully submitted,
/s/ BAKER ROYER
Chairman

GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA

JOINT STATE GOVERNMENT COMMISSION

P. O. Box 61

Room 405—Capitol BUILDING

HARRISBURG

January 5, 1960.

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith Official Comments, Amendments of Fiduciaries Act of 1949, 1959 Session of the General Assembly of the Commonwealth of Pennsylvania.

Respectfully submitted,
/s/ BAKER ROYER
Chairman

The PRESIDENT. The communications will be noted in the Journal, and the Official Comments printed in the Appendix.

ELECTION OF PRESIDENT PRO TEMPORE FOR THE INTERIM

The PRESIDENT. The next order of business before the Senate is the election of the President pro tempore, for the interim.

Mr. CHAPMAN. Mr. President and Members of the Senate the criteria of a leader embody five cardinal principles: First, intellectual honesty; second, rugged individualism; third, diplomacy; fourth, tact; and fifth, adherence to the Golden Rule.

Mr. President, I am happy to nominate for President pro tempore of the Senate, for the interim, one who possesses all of these attributes, the Honorable M. Harvey Taylor.

Mr. MALLERY. Mr. President and Members of the Senate, I deem it an honor on my part to have the privilege of seconding the nomination of the Honorable M. Harvey Taylor, for the office of President pro tempore of the Senate, for the interim.

Mr. MCGINNIS. Mr. President, I am glad to have the privilege of also seconding that nomination.

Mr. WEINER. Mr. President, at this time, I would like to place in nomination for the office of President pro tempore of the Senate, for the interim, the name of Senator Frank W. Ruth. This gentleman has served both in the Senate and in the House with distinction. He served as Floor Leader in the House, a leader here in the Senate, and has been a real stalwart to the Democratic Party as well as in the affairs of State.

It is my pleasure to place his name in nomination for the office of President pro tempore of the Senate, for the interim.

Mr. RIPP. Mr. President, I second the motion.

Mr. LANE. Mr. President, I also second that motion.

NOMINATIONS CLOSED

Mr. PECHAN. Mr. President, I move that the nominations for the office of President pro tempore of the Senate, for the interim, be closed.

Mr. FLEMING. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the President pro tempore, for the interim, the Clerk will call the roll.

The roll was called and resulted as follows:

FOR MR. TAYLOR—28

| | | | |
|----------|-----------------|------------|-----------|
| Berger, | Fleming, | Mallery, | Van Sant, |
| Blass, | Harney, | Pechan, | Wade, |
| Chapman, | Keller, | Probert, | Wagner, |
| Confair, | Kessler, | Ruth, | Walker, |
| Ehrgood, | Koprivier, Jr., | Scott, | Watkins, |
| Elliot, | Kromer, | Shafer, | Whalley, |
| Flack, | Madigan, | Stevenson, | Wolfe, |

FOR MR. RUTH—22

| | | | |
|--------------|------------|---------|----------|
| Barr, | Lane, | Mullin, | Seyler, |
| Camel, | Mahady, | Murray, | Silvert, |
| DiSilvestro, | McCreesh, | Ripp, | Stiefel, |
| Donolow, | McGinnis, | Rooney, | Taylor, |
| Hays, | McMenamin, | Sarraf, | Weiner, |
| Kalman, | Miller, | | |

The PRESIDENT. The Honorable M. Harvey Taylor having received twenty-eight votes, and the Honorable Frank W. Ruth having received twenty-two votes, the

Chair declares the Honorable M. Harvey Taylor duly elected President pro tempore of the Senate of Pennsylvania.

RECESS

Mr. BERGER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a Republican Caucus, to be held in the Conference Room at the rear of the Senate.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT OF COMMITTEE OF CONFERENCE

Mr. WAGNER submitted the Report of Committee of Conference on **HB 1108**, which was laid on the table.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. FLEMING, by unanimous consent, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert W. Anthony, 1200 Seventeenth Avenue, Altoona Blair County, for appointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1963, vice Hon. Henry Houck, Pottsville, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Board of Trustees of Harrisburg State Hospital, from September 26, 1957, for a term of four years, and until his successor is appointed and qualified.

Robert Lee Jacobs, Carlisle, Cumberland County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1961, and until their successors are appointed and qualified:

Lynwood F. Blount, 1325 North Sixtieth Street, Philadelphia, Philadelphia County, to fill a vacancy.
S. Harry Galfand, 502 West Allens Lane, Philadelphia, Philadelphia County, to fill a vacancy.

DAVID L. LAWRENCE.

COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT, FOR THE INTERIM, TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in naming as the Committee to Escort the President pro tempore-elect, for the interim, to the rostrum: the gentleman from Warren, Mr. Chapman; the gentleman from Blair, Mr. Mallery; and the gentleman from Allegheny, Mr. Barr.

The committee will proceed in the performance of its duty.

'Whereupon, the President pro tempore-elect, for the interim, was escorted to the rostrum of the Senate.

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE-ELECT, FOR THE INTERIM

The PRESIDENT. The oath of office will be administered to the newly elected President pro tempore of the Senate, for the interim, by the Honorable William H. Neely, President Judge of the Court of Common Pleas of Dauphin County.

(The oath of office was administered accordingly.)

REMARKS BY THE PRESIDENT PRO TEMPORE

Mr. TAYLOR. Mr. President, I am not going to make any speech at this time. However, I wish to thank you gentlemen. I only have a few minutes to work on that contingent fund.

REPORT OF COMMITTEE OF CONFERENCE ON HB 1108 TAKEN FROM THE TABLE

Without objection, Mr. BERGER called from the table **HB 1108**.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE OF CONFERENCE ON HB 1108

Mr. BERGER. Mr. President, I ask unanimous consent for the immediate consideration of the Report of Committee of Conference on **HB 1108**, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used; and revising the basis for reimbursement on account of instruction.

The PRESIDENT. Is there objections?

Mr. WEINER. Mr. President, I wish to oppose action on this bill for the following reason.

We have taken the position, during this entire Session, that unless there are the necessary funds to enact the legislation in front of us, then we would have to vote against it. We feel this is one of the ways to cut down on the deficit. We also feel that this is a rather shoddy way of doing business. You send over the money which you want spent, you authorize it to be spent and you direct where it should be spent. However, you do not send the revenue-raising legislation with it.

There has been a bill in the Finance Committee for some time; namely, the stocks and bonds tax. If that was unacceptable, there were other revenues which could have been raised. None of these have been acted upon. I believe the only thing the Governor can do on this measure is to veto it when it comes to him, because there is no money to enact or follow up this legislation. I am sure the gentlemen on the other side would not operate their own businesses in that manner. Therefore, I do not think we should operate the affairs of the Commonwealth in this manner.

Mr. BARR. Mr. President, I think the Constitution states that any bill to be voted upon must be on our desks, I know this Report of Committee of Conference is not on our desks over here and, therefore, I do not know how we can vote upon this bill.

Mr. BERGER. Mr. President, I asked for unanimous consent and if it is not received, then, of course, we cannot vote on this Conference Committee Report.

Mr. BARR. I will not give my consent, Mr. President.

Mr. BERGER. Very well, Mr. President.

The PRESIDENT. There being objection to the immediate consideration of the Report of Committee of Conference on House Bill No. 1108, the matter will not be considered at this time.

HOUSE MESSAGE

ADJOURNMENT SINE DIE

The Clerk of the House of Representatives being introduced, presented resolution from the House of Representatives which was read as follows, considered and concurred in:

In the House of Representatives, January 5, 1960.

Resolved (if the Senate concur), That this 1959 Regular Session of the General Assembly adjourn sine die on the 5th day of January, 1960, at 12:00 o'clock m., E.S.T.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

BILL ON THIRD READING

HB 2286—Read at length the third time and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

| | | | |
|--------------|-----------------|----------|------------|
| Barr, | Keller, | Miller, | Silvert, |
| Berger, | Kalman, | Mullin, | Stevenson, |
| Blass, | Koprivier, Jr., | Murray, | Stiefel, |
| Camiel, | Kessler, | Pechan, | Taylor, |
| Confair, | Kromer, | Propert, | Van Sant, |
| DiSilvestro, | Lane, | Ripp, | Wade, |
| Donolow, | Madigan, | Rooney, | Wagner, |
| Ehrgood, | Mahady, | Ruth, | Walker, |
| Elliott, | Mallery, | Sarra, | Watkins, |
| Flack, | McCreesh, | Scott, | Weiner, |
| Fleming, | McGinnis, | Seyler, | Whalley, |
| Harney, | McMenamin, | Shafer, | Wolfe, |
| Hays, | | | |

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE RESOLUTION

COMMITTEE TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

Mr. ELLIOTT, by unanimous consent, offered the following resolution which was read, considered and adopted:

In the Senate, January 5, 1960.

RESOLVED, That a committee of three Senators be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is now ready to adjourn sine die, and to inquire if he has any further communications to make.

COMMITTEE APPOINTED TO NOTIFY THE GOVERNOR THE SENATE IS READY TO ADJOURN SINE DIE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to advise that the President pro tempore has appointed, as a committee to notify the Governor that the Senate is ready to adjourn sine die, the gentleman from Franklin, Mr. Elliott; the gentleman from Cumberland, Mr. Wade; and the gentleman from York, Mr. SEYLER.

This committee will proceed to discharge its duties immediately.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. FLEMING and Mr. MALLERY,

That the Senate do now resolve itself into Executive Session, for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. FLEMING asked and obtained unanimous consent for immediate consideration of the nominations reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. FLEMING. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations. The nominations were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

November 16, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert W. Anthony, 1200 Seventeenth Avenue, Altoona, Blair County, for appointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1963, vice Hon. Henry Houck, Pottsville, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF
HARRISBURG STATE HOSPITAL

June 22, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following person for appointment as a member of the Board of Trustees of Harrisburg State Hospital, from September 26, 1957, for a term of four years, and until his successor is appointed and qualified:

Robert Lee Jacobs, Carlisle, Cumberland County.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENN-
SYLVANIA TRAINING SCHOOL AT MORGANZA

October 19, 1959.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Pennsylvania Training School at Morganza, until the third Tuesday of January 1961, and until their successors are appointed and qualified:

Lynwood F. Blount, 1325 North Sixtieth Street, Philadelphia County, to fill a vacancy.

S. Harry Galfand, 502 West Allens Lane, Philadelphia, Philadelphia County, to fill a vacancy.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Berger,
Blass,
Camel,
Chapman,
Confair,
DiSilvestro,
Donolow,
Ehrgood,
Elliott,
Flack,
Fleming,
Harney,

Hays,
Kalman,
Keller,
Kessler,
Koprivier, Jr.,
Kromer,
Lane,
Madigan,
Mahady,
Mallery,
McCreesh,
McGinnis,
McMenamin,

Miller,
Mullin,
Murray,
Pechan,
Propert,
Ripp,
Rooney,
Ruth,
Sarraf,
Scott,
Seyler,
Shafer,

Silvert,
Stevenson,
Stiefel,
Taylor,
Van Sant,
Wade,
Wagner,
Walker,
Watkins,
Weiner,
Whalley,
Wolfe,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. FLEMING. Mr. President, I move that the Executive Session do now rise.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT SINE DIE

Mr. BERGER. Mr. President, I move that the Senate do now adjourn sine die.

Mr. PECHAN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. This being the day and hour fixed by Concurrent Resolution for the final adjournment, and the hour of 12:00 m., Eastern Standard Time, having arrived, I hereby declare the 143rd Regular Session of the Senate of Pennsylvania adjourned sine die.

HOUSE OF REPRESENTATIVES

TUESDAY, January 5, 1960.

The House met at 9:30 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, our Father, Thou Whose providential care has watched over and protected us in days gone by, we turn to Thee this day with the outlook of those who have come to appreciate as well as recognize Thy care and concern. And we pray that this awareness may express itself in our dependency upon Thee, and our calling upon Thee for the help which Thou hast to give in all of life's problems and difficulties. Keep these stewards of Thine alert to their need of Thee, and by the presence of Thy Spirit enable them to use Thy assistance in the accomplishment of Thy will and way. Amen.

JOURNAL APPROVED

The SPEAKER. Subject to correction under questions of personal privilege, unless there is objection, the Journal for Monday, January 4, 1960 will stand approved.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1108

Mr. POLEN. Mr. Speaker, I present the report of the Committee of Conference on House Bill No. 1108.

The SPEAKER. This report is in print and has been placed on the Members' desks.

STATEMENT BY THE MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I request permission to notify our Members to bring with them to the caucus the Conference Committee Report on House Bill No. 1108, Printer's No. 2138, which is on their desks. We will have a short caucus on the calendar, plus two bills, House Bill 317, the billboard bill which will be voted on again today, and Senate Bill 1232.

I would like to take a moment before the caucus to inform the membership of this House that they will be voting on House Bill 1108. When you vote on 1108 I request that you read it very, very carefully, because it is my belief that if you favor 1108 you will also stand up and vote for a tax bill, which outlines three specific tax measures to raise \$16 million in funds to pay for 1108. It is absolute hypocrisy to stand up here and vote for 1108 and then not stand up and vote for a tax measure, when in the report of the Committee of Conference you will find the tax measures defined.

I do not know whether this report will pass this House or pass the Senate. I only know that I, individually, and many others, have checked this Conference Committee Report on 1108 and,—at least as indicated in a quick resume when I was briefed during the night—it is the intention of the conferees, who met all day yesterday and until some time last night in the neighborhood of 9:00 o'clock, to place 1108 on the Governor's desk.

When the sine die resolution is enacted this morning at 12:00 o'clock, the Governor then has a period of 30

days to act on this piece of proposed legislation. As I was briefed by the Conference Committee members, this bill would then be on the Governor's desk, and it outlines the three tax measures that would pay for 1108. Assuming that you place 1108 on, His Excellency, the Governor's desk today,—30 days would be approximately the 4th of February—by the fourth day of February you, would place on the Governor's desk the tax measure to pay for 1108. And you are bound to vote for one, two or three of the tax measures outlined in 1108, equivalent to approximately \$16 million for one year, one payment to public education.

That is why I say to the Members here today that when you go to the caucus you will have in front of you an important decision to make. If you are for 1108, and are sincere in wanting to provide \$16 million in new funds for public education, according to the plan outlined by the Conference Committee, then you will vote for either one, two or three tax measures defined in the Conference Committee report.

INTERROGATION

Mr. TOMPKINS asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. TOMPKINS. Mr. Speaker, I should like to inquire of the Majority Leader if this Conference Committee Report has been submitted to the Attorney General and been approved as constitutional in the form in which it now appears before us?

Mr. McCANN. Mr. Speaker, I will yield to the Members of the Conference Committee, the gentleman from Washington, Mr. Polen, or Mr. Stroup, or Mrs. Reibman. I cannot answer that question.

The SPEAKER. The Chair might observe that it is not the usual matter for this House, prior to acting, to be fully advised by the Justice Department.

Mr. TOMPKINS. Well, whether it is the Justice Department, whether it is Legislative Reference Bureau or some other legal opinion, I am asking whether this report in the form in which it now appears before us constitutional. I do not think that we should be asked to vote upon a piece of legislation which might on the face of it be unconstitutional.

The SPEAKER. The Chair would again say, as the gentleman from Cameron well knows, that whenever the question of constitutionality is raised, the matter is referred to the House, the sovereign body, and not to any branch of the government.

The Chair might remark, incidentally, that if it was the desire of anyone to proceed in an unparliamentary fashion, the Chair would not have known a better way to go about it than House Bill 1108 in its present form.

Mr. TOMPKINS. I take it then the answer is that the House itself passes upon the constitutionality without the benefit of any advice.

The SPEAKER. That is right.

Mr. TOMPKINS. I thank the Speaker. Now, may I further interrogate the Majority Leader?

The SPEAKER. Will the Majority Leader permit himself to be further interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. There are three alternative tax proposals contained in this report. One is the increase in the corporate net income tax. Can the Majority Leader ad-

vise as to how much that tax would have to be increased in order to provide \$16 million?

Mr. McCANN. Mr. Speaker, I think it would be well for me to yield to the Chairman of the Committee on Appropriations.

Late last night when they were telephoning me I did recommend that they secure the necessary amounts to raise \$16 million, and I believe that in the night there were procedures being adopted to determine the percentage points. I will yield to the gentleman from Washington, and ask that he give us the information they may have secured by this time.

Mr. POLEN. Mr. Speaker, it would take approximately one-half percent for one year Corporate Net Income Tax. On the other taxes I do not, as yet, have the information.

Mr. TOMPKINS. Mr. Speaker, the number two proposal is the removal of the manufacturer's exemption to the capital stock tax, is that right?

Mr. POLEN. That is correct.

Mr. TOMPKINS. And you do not know how much that would produce?

Mr. POLEN. No. It was the feeling of the Committee that this was a one-shot proposition for a one-shot purpose and whatever fraction that would be necessary would be for one year, which is approximately \$16 million. I do not, as yet, have the figures.

Mr. TOMPKINS. And number three; a flat tax paid on the amount of Federal Income Tax, enacted for one year. How much of a tax would have to be imposed?

Mr. POLEN. That is being explored to ascertain the amount that would be necessary.

Mr. TOMPKINS. Would the imposition of such a tax be constitutional?

Mr. POLEN. Mr. Speaker, there are opinions both ways on that. I am not in a position to state. I would say that the other two taxes would be strictly constitutional. There might be a grave doubt on the third matter.

Mr. TOMPKINS. Mr. Speaker, I want to further interrogate the gentleman from Washington, Mr. Polen.

I know it required a great deal of discussion. I know it has been a subject where there are very decided and divided opinions. But I would like to ask the gentleman from Washington if, when we voted on a four percent sales tax the whole amount of which was earmarked for educational purposes, there was not, at the time we voted on that tax, a provision for \$28 million to apply toward 1108?

Mr. POLEN. Mr. Speaker, in a strict answer to the question, the answer would be no. I have previously given the explanation, however, that in a combination of taxes and appropriations outlined with an effective date of August 1, there was \$28 million additional for schools, \$4 million additional for hospitals.

Mr. TOMPKINS. Then there was calculated, at the time we voted for the four percent tax, \$28 million, is that right?

Mr. POLEN. Not in the four percent tax, but in the entire tax package and in the entire appropriation package. There never, at any time, was \$28 million exclusively in the four percent sales tax.

Mr. TOMPKINS. Mr. Speaker, what I am trying to get at is this: That at the time we voted on that tax the

bipartisan committee had calculated \$28 million among the tax packages, exclusive of the personal property tax, \$28 million that we figured would be applied toward education. Not what showed up after the time we voted, but at the time we voted on the tax, we had calculated \$28 million, had we not?

Mr. POLEN. No, Mr. Speaker, that is not correct as of the time we voted upon the tax. That was correct at the time the bi-partisan tax committee met and had the \$28 million in there; that was correct at that time. But that was based upon an effective date of August 1, and also included other tax items which were subsequently changed by the other body.

Mr. TOMPKINS. When did we vote on that tax package?

Mr. POLEN. It was around the 20th or 21st of August, if I recall correctly. I know that it was about three weeks after the effective date we had originally set. All the estimates were based on the August 1 enactment.

Mr. TOMPKINS. What I am trying to get at is this: It was not until sometime after the four percent sales tax was voted upon and passed this House that we learned there would not be \$28 million available to apply toward this educational program.

Mr. POLEN. It was considerably later when we learned that, because one of the items was the tax on bank shares, the gross receipts tax on gas companies. We had used in our estimates the two years that were in the bill when it passed the House. The bill was then in the Senate. However, the Senate changed that effective date to January 1, 1960, which reduced that amount. There was a loss of around \$5.5 million due to the enactment of the four percent sales tax when it was enacted rather than being effective August 1.

I think that in the projections the gentleman from Cameron has used, they used cuts of \$55 million in arriving at the \$28 million, cuts to be made by the Senate. The cuts made by the Senate were approximately \$42 million, so there was \$13 million lost there. There was approximately \$5.5 million lost due to the late enactment of the four percent sales tax. There was \$5.8 million lost due to the fact that the Senate changed the gross receipts tax to a one year period rather than a two year period as it was considered by that committee. There was an actual over estimation of taxes on dry cleaning of about \$4 million. When you add those all together you will see what happened to your \$28 million.

Mr. TOMPKINS. Mr. Speaker, I am well aware of what the gentleman has said, but the fact still remains, so far as we on this side of the House are concerned, that on August 20, or whatever date it was that we passed the four percent sales tax, we passed it with the understanding and with the picture before us that there would be \$28 million available. Now, this bill calls for \$16 million available. Subsequent events may have changed that thing, but the fact still remains that we were promised \$28 million at that time, were we not?

Mr. POLEN. Mr. Speaker, in the package of appropriations and taxes that we considered it is true we had the \$28 million. At the time we voted upon the four percent sales tax we certainly knew that the estimates were based upon an August 1 enactment. It is true that subsequently other taxes were reduced by the Senate, which we did not, of course, know of when we voted on the four percent

sales tax. But the point I would like to make to the gentleman is that this was a package of appropriation cuts and increased taxes, and it was not purely upon the four percent sales tax that this \$28 million was to be raised.

Mr. TOMPKINS. Well, apparently we could argue all day long and get no further on the solution to this problem.

That is all, Mr. Speaker. I thank the gentleman. We will discuss this later on the consideration of this bill.

Mr. McCANN. Mr. Speaker, at the proper time I would like to request twenty minutes for the purpose of a caucus, and I will ask that our membership bring with them the House calendar and 1108. We must act immediately on these bills, complete our caucus and return here, so that the Speaker of this House may sign all the legislation that will pass the House and Senate before 12:00 noon today, to be delivered to the Governor.

Mr. A. W. JOHNSON. Mr. Speaker, since the Majority Leader has opened up this subject of 1108 and the fact that we have to go upstairs and decide on whether we want to vote for the bill with the idea of one of three taxes would be put on, I believe in answer to what he had to say I should give this impression.

I realize that the Conference Committee has done the best they could. I know that the Conference Committee in the last two or three days kept getting word from the Governor's office, there is no money, you cannot pass 1108 unless you pass taxes. I will veto it if you send it or put it on my desk. I know the Governor has said that and I am not going to blame the Conference Committee which has made the best of a bad deal. But the way it all adds up is, this is another squeeze play. You either take 1108 with the agreement to vote for one of three taxes or you do not get it at all.

This is another one of the famous squeeze plays of the Session. The Governor, in effect, has said to us, I have my appropriations, I am proud to say I have my program, it is signed, it is on my desk and the money is being spent, but I did not provide any money for the schools of Pennsylvania.

The last day of the Session, sure, you can have money for the most important thing in Pennsylvania: you can have a paltry \$16 million but you have to stand up and promise you are going to vote for a corporate income tax and further drive business out of Pennsylvania, put the tax on capital stock again, or for the first time, pledge yourself to put a graduated income tax on the people of Pennsylvania.

In going upstairs now and asking our caucus to do this, I am sure I will have my tongue in my cheek. But I am just telling you what the innuendo is, what is handed to us here today on a silver platter, and it is the Governor's office that is doing it to us. He has his money for health, for mental health, and for welfare, for advertising this and that, and for keeping on 15,000 extra state employees, that money is in his pocket. But there is not a dime extra in the pocket of our schools of Pennsylvania, and here the last day of the Session, we can have a measly \$16 million providing we, who have voted for taxes already and stood up and are being clobbered for it, must again say we are willing to vote for one of three taxes before next October.

I say it is a bitter pill to swallow and with that admonition we will go upstairs and we will caucus on this

bill. I do not know how many people will vote for it, how many will stand up and say they will be willing to put on a graduated income tax. But once you put it on, it's on forever, remember that.

So, Mr. Majority Leader, you are saying, remember you have to vote for taxes. Mr. Tompkins pointed out here, we voted for taxes once; we voted for \$28 million which we thought was available for the schools, and now the last day they say there still is not any money, you have to pledge yourself to vote for taxes for the bill.

Mr. McCANN. Mr. Speaker, I listened with tongue in cheek because just a few days ago you had the opportunity to vote for another tax, for \$55 million for education, and the Republican Senate said, no. They said no because the widows and orphans of this great Commonwealth did not want to provide the money for education. They are going to protect them. It was more important than education—\$55 million; not \$16.

It was not the Democrats that changed this bill. It was the Republican leadership of Pennsylvania that wrote the tax measures in this bill, aided by the Senate Republican Conferees of this Conference Committee. It was they who did not want to provide \$55 million for education and waited until 9:00 o'clock the night before the Session was to adjourn.

The record will forever show that the people of Pennsylvania will decide when we take our case to them and say to them, you decide who is for education. It does not bother us to tax bonds and stocks or corporations to pay for public education, but you chose, no, and now today you will probably choose no again because your answer is only that the taxes for education can come from one field. We as Democrats are willing to provide for education out of stocks and bonds, corporation taxes, manufacturers' stock exemption, or the sales tax, which we did.

So you see our record is clear. We really are willing to support, and have proven that we will support public education this year, next year, and the years after that. But you will only support it when it fits within the groove of those taxes that you want to save for something more important, and there is nothing more important, in our opinion, than public education.

The SPEAKER. The Chair, before declaring a recess, desires to state that he is neither directly nor indirectly responsible in any way for the critical parliamentary situation that has arisen at this untimely hour.

Mr. HELM. Mr. Speaker, may I interrogate the gentleman from Greene, Mr. McCann?

Mr. McCANN. Yes, Mr. Speaker.

Mr. HELM. Mr. Speaker, the gentleman from Greene, Mr. McCann, in his remarks a few minutes ago said that the people of Pennsylvania should pay for education. I would just like to have him clarify that statement by asking a question.

Does he believe that all the people of Pennsylvania should pay for public education?

Mr. McCANN. Mr. Speaker, the sales tax which is a major portion of the income of the General Fund of the Commonwealth of Pennsylvania is clearly defined in the act as being for public education of the Commonwealth and if there is anybody other than the people, the greatest number of people of Pennsylvania, now paying their greatest share for education in the Commonwealth of

Pennsylvania from the yield of sales tax, then I do not know how else we can decide it.

Mr. HELM. Mr. Speaker, I am not discussing the sales tax. I would like to ask the gentleman if the personal property tax which he alluded to a while ago was collected from all the people of the Commonwealth of Pennsylvania?

Mr. McCANN. It is collected from those people who have the necessary stocks and bonds and the yield, who are the people who will provide payment under that tax to be used for public education. In that case it would only be a portion of the people of the Commonwealth. Perhaps you and I, and others may not.

Mr. HELM. I would like to ask the gentleman if it applies to every county in the Commonwealth?

Mr. McCANN. Mr. Speaker, it applies to every county in the Commonwealth under the act, except the city of Pittsburgh. They now have the ten mills which those people have been paying for public education for many years, and in Philadelphia they have been paying two mills additional, while the rest of us have been paying only four mills in each county.

Mr. HELM. Then, I presume, Mr. Speaker, the gentleman's answer to my question is that all the people of Pennsylvania should support public education through the personal property tax except the people of Pittsburgh and Philadelphia?

Mr. McCANN. Mr. Speaker, they already are, and the rest of us are not, paying their share in personal property tax. If you owned 10,000 shares of stock and you were a resident of Pittsburgh, Pennsylvania, and you owned 10,000 shares of the same stock and were a resident of Kittanning, Armstrong County, you would pay far more for public education on the 10,000 shares in the city of Pittsburgh than you do in Kittanning, Armstrong County.

Mr. HELM. Mr. Speaker, that is purely and simply a local thing. They are paying that personal property tax for their local share of support for education. Now you are going to say to all the rest of the people in Pennsylvania, you are going to support education but we are not going to let the people of Pittsburgh and Philadelphia pay their fair share on the state level, is that not correct?

Mr. McCANN. No, we are going to go with them and pay the fair share all over the state, on all the stocks and bonds to the equivalent amount that everyone in the state would pay, which would be ten mills, as you know, whether you were in Pittsburgh, Greene County or Armstrong County. We are saying to them, you are paying it in the state fund, they are paying it in a local fund, but it is all for public education.

Mr. HELM. Mr. Speaker, I do not believe that the gentleman is actually stating the question correctly. He is saying he is going to make everyone pay equally, but he still is making a special concession for the two large cities in the state of Pennsylvania so far as the public support of state education is concerned. That point I do not believe has been brought out in the discussion of personal property tax. Everyone is hiding behind the fact that it is those who have stocks and bonds pay it, or those who are widows and orphans and have small incomes. Actually, I believe, and I always have believed, that a tax should be borne equally by all the people of this Commonwealth.

I thank the gentleman.

Mr. A. W. JOHNSON. I, too, want to join in the request for a caucus of twenty minutes.

RECESS

The SPEAKER. At the request of the respective Floor Leaders the Chair now declares a recess of twenty minutes for the purpose of Republican and Democratic caucuses.

The Chair hears no objection.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1108

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1108.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1108, entitled: "An act amending the act of March 10, 1949 (P. L. 30), entitled 'An act relating to the public school system including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' increasing the basis for reimbursement on account of instruction, and changing the basis for reimbursement in certain cases."

Respectfully submit the following bill as our report:

PAUL L. WAGNER,
DOUGLAS H. ELLIOTT,
HARRY E. SEYLER,
(Committee on the part of the Senate,)

J. DEAN POLEN,
JEANETTE F. REIBMAN,
STANLEY G. STROUP,
(Committee on the part of the House of Representatives.)

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing the basis for reimbursement on account of instruction and changing the basis for reimbursement in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section 1306 act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949" amended September 7 1955 (P. L. 583) and February 17 1956 (P. L. 1067) is amended to read

Section 1306 Non-resident Inmates of Children's Institutions

(A) The board of school directors of any school district in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district [either with or without charge for tuition textbooks or school supplies as the directors of the district in which such institution is located may determine] When any home or institution having for its purpose the care and training of children and having non-resident children

under its care is located in more than one school district educational facilities may be provided by either district as though the institution were located wholly in that district. If the district or districts in which the institution is located does not have facilities to accommodate the children in its schools or in a joint school of which it is a member the board of directors shall so notify the Superintendent of Public Instruction not later than July one. If the Superintendent of Public Instruction after investigation finds that neither the school district nor the joint school board if any can accommodate the non-resident inmates of the institution during the ensuing school term he shall direct the district and the joint school board if any to enter into an agreement with another school district or joint school board to accept them on a tuition basis.

* * *

Section 2 Sections 1307 and 1308 of the act are repealed. Section 3 Section 1309 of the act is amended to read

Section 1309 Cost of Tuition How Fixed The cost of tuition [in such cases] for any child attending a public school pursuant to section 1306 shall be fixed as is now provided by law for tuition costs in other cases except where for the accommodation of such children it shall be necessary to provide a separate school or to erect additional school buildings in which cases the charge for tuition for such children may include a proportionate cost of the operating expenses rental and interest on any investment required to be made in erecting such new school buildings the tuition herein provided for shall be paid annually by the Superintendent of Public Instruction [or the institution as the case may be] except when the inmate is not a resident of Pennsylvania in which case the tuition shall be paid by the institution.

Section 4 Section 2501 of the act amended July 13, 1957 (P. L. 864) and July 17, 1959 (Act No. 157) is amended to read

Section 2501 Definitions For the purposes of this article the following terms shall have the following meanings

(1) "District Pupils" [of a school district] shall designate all pupils who are residents of a given school district and are either enrolled in the public schools of the [Commonwealth and of adjacent states who are residents of a given school district except those pupils who are enrolled in the public schools maintained by the vocational school district the territorial limits of which include the school district "District Pupils" of a vocational school district shall designate all pupils enrolled in the public schools maintained by the vocational school district who are residents of the district] district or joint schools or area technical schools in which the district of residence participates or enrolled in other public schools and for whom the district of residence pays a tuition charge (i) under the provisions of sections 1372 2509.1 or 2562 of this act or (ii) in the case of pupils in average daily membership in a laboratory school of a State Teachers' College or attending public schools not located within this Commonwealth a tuition charge approved or determined by the Department of Public Instruction

(2) "Teaching Units" consist of twenty-two (22) high school pupils or thirty (30) elementary school pupils. Fractions thereof shall be fractional teaching units. If a district's pupil-teacher ratio exceeds thirty-three (33) its district teaching [unit] units shall be obtained by multiplying the total number of all teaching units as defined above by thirty-three (33) and dividing the product so obtained by the pupil teacher ratio of the district. High school pupils are those pupils in a secondary school program classified as such by the Department of Public Instruction but in no case shall include any pupils below grade seven (7).

(3) "Average Daily Membership" shall be computed in accordance with the rules of procedure as established by the Department of Public Instruction for the school term 1944-1945.

(4) "Minimum Instruction Subsidy" shall designate the minimum amount per teaching unit payable on account of instruction by the Commonwealth to any school district [or vocational school district] under the provi-

sions of this act. The minimum instruction subsidy shall be one thousand dollars (\$1000).

(5) "Maximum Instruction Subsidy" shall designate the maximum amount per teaching unit which may be payable on account of instruction by the Commonwealth to any one school district [or vocational school district] under the provisions of this act. The maximum instruction subsidy shall be [for the school year 1955-1956 four thousand nine hundred dollars (\$4900) for the school year 1956-1957 five thousand three hundred dollars (\$5300) for the school year 1957-1958 and for each school year thereafter unless changed by act of the General Assembly] for the school year 1958-1959 [five thousand eight hundred dollars (\$5800)] six thousand two hundred dollars (\$6200) for the school year 1959-1960 and for each school year thereafter five thousand eight hundred dollars (\$5800). Provided That in the event that Federal moneys shall at any time be made available to the Commonwealth for school purposes the Superintendent of Public Instruction may from time to time increase the amount of the applicable maximum instruction subsidy to school districts [but not to vocational school districts] to an extent necessary to absorb the amount of any allocation of Federal moneys so that "maximum instruction subsidy" as hereinabove limited shall always have reference to payments made out of appropriations of Commonwealth moneys irrespective of any available Federal moneys.

(6) "Basic Account Standard Reimbursement Fraction" School districts' [or vocational school districts'] basic account standard reimbursement [fraction] fractions shall be computed annually in the month of December by the Department of Public Instruction.

In the case of a school district its basic account standard reimbursement fraction shall be computed for the school year [1955-1956 by subtracting from four thousand nine hundred dollars (\$4900) an amount determined by multiplying the school district's valuation per district teaching unit by four one-thousandths (.004) and dividing the difference so obtained by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by subtracting from five thousand three hundred dollars (\$5300) an amount determined by multiplying the school district's valuation per district teaching unit by four one-thousandths (.004) and dividing the difference so obtained by five thousand three hundred dollars (\$5300) for the school year 1957-1958 and for each school year thereafter unless changed by act of the General Assembly] 1958-1959 by subtracting from [five thousand eight hundred dollars (\$5800)] six thousand two hundred dollars (\$6200) an amount determined by multiplying the school district's valuation per district teaching unit by four and [three-eighths] three-fourths one-thousandths [(0.004 3/8)] (.004 3/4) and dividing the difference so obtained by [five thousand eight hundred dollars (\$5800)] six thousand two hundred dollars (\$6200) for the school year 1959-1960 and each school year thereafter by subtracting from five thousand eight hundred dollars (\$5800) an amount determined by multiplying the school district's valuation per district teaching unit by four and three-eighths one-thousandths (.004 3/8) and dividing the difference so obtained by five thousand eight hundred dollars (\$5800).

[In the case of a vocational school district its basic account standard reimbursement fraction shall be computed for the school year 1955-1956 by subtracting from four thousand nine hundred dollars (\$4900) an amount determined by multiplying the valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by four thousand nine hundred dollars (\$4900) for the school year 1956-1957 by subtracting from five thousand three hundred dollars (\$5300) an amount determined by multiplying the valuation per district teaching unit by three one-thousandths (.003) and dividing the difference so obtained by five thousand three hundred dollars (\$5300) for the school year 1957-1958 and for each school year thereafter unless changed by act of the General Assembly by subtracting from five thousand eight hundred dollars (\$5800) an amount determined by multi-

plying the valuation per district teaching unit by three and nine-thirty-seconds one-thousandths (.003 9/32) and dividing the difference so obtained by five thousand eight hundred dollars (\$5800).]

(7) "Subsidiary Account Reimbursement Fraction" The Department of Public Instruction shall compute the subsidiary account reimbursement fraction of each school district [and each vocational school district] annually in the month of December.

The subsidiary account reimbursement fraction of each school district and of each vocational school district shall be computed for the school year 1956-1957 and for each school year thereafter by subtracting from five thousand one hundred dollars (\$5100) an amount to be determined by multiplying the school district's [or vocational school district's] valuation per district teaching unit by four one-thousandths (.004) and dividing the difference so obtained by five thousand one hundred dollars (\$5100).

(8) "Capital Account Reimbursement Fraction" The Department of Public Instruction shall compute the capital account reimbursement fraction of each school district annually in the month of December.

The capital account reimbursement fraction of each school district shall be computed (i) by subtracting from four thousand five hundred dollars (\$4500) an amount to be determined by multiplying the school district's valuation per district teaching unit by four one-thousandths (.004) and dividing the difference so obtained by four thousand five hundred dollars (\$4500) and (ii) in the case of payments for every lease or contract entered into or approved by the Superintendent of Public Instruction prior to August 26, 1953 and in the case of payments for every lease approved by the Department of Public Instruction on or after August 26, 1953, but prior to March 22, 1956 if the quotient obtained in (i) above is greater than five thousand nine hundred ninety-nine ten-thousandths (.5999) by multiplying the quotient obtained in (i) above by itself or if the quotient obtained in (i) above is less than six thousand ten-thousandths (.6000) by multiplying the quotient obtained in (i) above by fifty one-hundredths (.50). Provided, That if the quotient obtained in (i) above is negative it shall be treated as zero (0) or (iii) in the case of payments on account of buildings for which the lease is approved on or after March 22, 1956 or in the case of payments on account of the incurring of indebtedness by the issuance of general obligation bonds on account of buildings for which the general construction contract is awarded on or after March 22, 1956 if the quotient obtained in (i) above is greater than four thousand nine hundred ninety-nine ten-thousandths (.4999) by multiplying the quotient obtained in (i) above by itself or if the quotient obtained in (i) above is less than five thousand ten-thousandths (.5000) by multiplying the quotient obtained in (i) above by itself and by fifty one-hundredths (.50) and adding the product to the quotient obtained in (i) above multiplied by twenty-five one-hundredths (.25). Provided, That if the quotient obtained in (i) above is negative it shall be treated as zero (0).

(9) "Valuation". A school district's [or vocational school district's] valuation to be used for purposes of computing the basic account standard reimbursement fraction the subsidiary account reimbursement fraction and the capital account reimbursement fraction shall be the valuation placed upon its taxable real property by the State Tax Equalization Board.

(10) "Number of District Teaching Units for Purposes of Determination of Basic Account Standard Reimbursement Fraction Subsidiary Account Reimbursement Fraction and Capital Account Reimbursement Fraction." A school district's [or vocational school district's] number of district teaching units for purposes of determination of the basic account standard reimbursement fraction the subsidiary account reimbursement fraction and the capital account reimbursement fraction shall be obtained as follows (i) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school during the preceding school term (ii) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school during the preceding school term and (iii) add the quotients obtained under (i) and (ii)

above except when the pupil-teacher ratio exceeds thirty-three (33) in which case the sum obtained under (i) and (ii) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district. No school district [or vocational school district] shall be credited with less than one teaching unit. No school district [or vocational school district] shall be assigned a basic account standard reimbursement fraction lower in value than the minimum instruction subsidy divided by the maximum instruction subsidy. All one-room schools operated in accordance with the provisions of this act shall if their operation is approved by the State Council of Education be credited with at least one teaching unit. The State Council of Education shall withhold its approval of any one-room one-teacher school unless (i) topography distance or condition of roads are such as to make transportation of pupils impractical or (ii) it is impossible to accommodate pupils in existing graded schools in the district or other districts or (iii) the district is financially unable to construct a consolidated school.

(11) "Actual Instruction Expense Per Elementary Teaching Unit Actual Instruction Expense Per Secondary Teaching Unit Actual Instruction Expense Per Joint Elementary Teaching Unit Actual Instruction Expense Per Joint Secondary Teaching Unit Actual Instruction Expense Per Area Technical School Teaching Unit" In 1958 in the month of September and thereafter annually in the month of September the Department of Public Instruction shall calculate for each school district for the immediately preceding school year the actual instruction expense per elementary teaching unit for elementary pupils educated in the district's public school the actual instruction expense per secondary teaching unit for secondary pupils educated in the district's public schools the actual instruction expense per joint elementary teaching unit for elementary pupils educated in the district's public school the actual instruction expense per secondary teaching unit for secondary pupils educated in the district's public schools the actual instruction expense per joint elementary teaching unit for elementary pupils educated in elementary schools of jointures of which the district is a member the actual instruction expense per joint secondary teaching unit for secondary pupils educated in secondary schools of jointures of which the district is a member the actual instruction expense per area technical school teaching unit for pupils educated in area technical schools in which the district participates the actual instruction expense per elementary teaching unit for elementary pupils residing in the district and educated in the public schools of other districts within the Commonwealth and the actual instruction expense per secondary teaching unit for secondary pupils residing in the district and educated in the public schools of other districts within the Commonwealth. In each case actual instruction expense per teaching unit shall be the sum of (i) and (ii) below but in no case shall include expenses for debt service capital outlay rentals of capital facilities and equipment salaries and expenses for school nurses for medical and dental services for driver education courses for reimbursable transportation of pupils for tuition paid to other school districts for reimbursable board and lodging in lieu of transportation for salaries of directors and supervisors of special education public school psychologists principals of special schools and assistants teachers of approved special classes for physically and mentally handicapped children clerks and assistants employed in programs for special education for school district contributions to the retirement fund and social security on behalf of directors and supervisors of special education public school psychologists principals of special schools and assistants teachers of approved special classes for physically and mentally handicapped children clerks and assistants employed in programs for special education for the cost of textbooks and supplies of the second class used in special education classes or schools for extension schools and classes for extension recreation activities for vocational extension education [or] for instruction of homebound children or expenditures financed

by admissions fees charges or refunds (i) Expenses of general control per teaching unit Expenses of general control shall include salaries supplies and other expenses of the secretary's office commission or salary of treasurer tax collector auditors and legal service expenses of census enumeration and other expenses of business administration salaries of the superintendent of schools and clerks of the superintendent of schools expenses of supplies and other expenses of the superintendent of schools' office and other expenses of general control In the case of computation of actual instruction expense per elementary teaching unit for district pupils educated in the schools of the district and for district pupils educated in the public schools of other districts within the Commonwealth and actual instruction expense per secondary teaching unit for district pupils educated in the schools of the district and for district pupils educated in the public schools of other districts within the Commonwealth expenses of general control per teaching unit shall be calculated by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the number of [all pupils who are residents of the school district and] district pupils who are in average daily membership in the public schools of the Commonwealth In the case of computation of actual instruction expense per joint elementary teaching unit and actual instruction expense per joint secondary teaching unit expenses of general control per teaching unit shall be calculated by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the number of [all pupils who are residents of the school district and] district pupils who are in average daily membership in the public schools of the Commonwealth and adding thereto the quotient obtained by dividing the foregoing listed expenses of general control of the joint school [district] system by the number of joint teaching units based on the number of pupils who are residents of school districts that are members of the joint school [district] system and are in average daily membership in the schools of the joint school [district] system In the case of computation of actual instruction expense per area technical school teaching unit expenses of general control per teaching unit shall be computed by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the [total] number of [all pupils who are residents of the school district and] district pupils who are in average daily membership in the public schools of the Commonwealth and adding thereto the quotient obtained by dividing the foregoing listed expenses of general control of the area technical school by the number of area technical school teaching units based on the number of pupils who are residents of districts participating in the area technical school and are in average daily membership in the area technical school (ii) Expenses of the school district joint school [district] system area technical school or such other school district within the Commonwealth in which the [districts'] districts pupils are educated as the case may be on account of instruction auxiliary agencies and coordinate activities operation of school plant maintenance of school plant and fixed charges and each separately for elementary and for secondary schools per teaching unit calculated by [dividing the sums of] summing (a) (b) (c) (d) [and] (e) and in the case of districts or joint systems which operate special classes or schools (f) below and dividing said sums by the numbers of elementary secondary joint elementary joint secondary and area technical school teaching units respectively based on the number of all pupils on an equivalent full-time basis in average daily membership in the public schools of the district or joint [district] system or the area technical school or other school district within the Commonwealth in which pupils of the district are educated as the case may be (a) expenses of instruction [to include] including salaries of supervisors and other expenses of supervisors salaries of principals and principals' clerks supplies of the principals' offices other expenses of supervision teachers' and all teacher-librarians' salaries textbooks library books supplies used in instruction including library supplies expenses of attending

teachers' institutes or for programs of in-service education for the improvement of teachers commencement exercise and exhibit expenses and other expenses of instruction (b) expenses of auxiliary agencies and coordinate activities [to include] including salaries books repairs replacements and other expenses of public libraries and non-reimbursable transportation and board and lodging in lieu of transportation and provisions for tubercular and undernourished children community lectures social centers and recreation enforcement of attendance and other expenses of auxiliary agencies and coordinate activities (c) expenses of operation of school plant [to include] including wages of janitors and other employees fuel water light power janitors' supplies care of grounds services other than personal telephone rental and other expenses of operation (d) expenses of maintenance of school plant [to include] including upkeep of grounds repair of buildings repairs and replacements of heating plumbing and lighting equipment apparatus used in instruction furniture and other equipment (e) expenses of fixed charges [to include] including payments made to the retirement board social security rent all insurance and other fixed charges (f) the sum of (i) an amount equal to the product of "instruction cost per elementary pupil" as defined in section 2561 and the average daily membership in the districts or joint systems' approved elementary special classes for physically or mentally handicapped children and (ii) an amount equal to the product of "instruction cost per high school pupil" as defined in section 2561 and the average daily membership in the district's or joint systems' approved special classes for physically or mentally handicapped children.

Section 5 Section 2501 of the act is amended by adding at the end thereof a new clause to read

Section 2501 Definitions For the purpose of this article the following terms shall have the following meanings

* * *

(12) "Actual Instruction Expense Per County-operated Special Class Elementary Teaching Unit and Actual Instruction Expense Per County-operated Special Class Secondary Teaching Unit" For any school district the actual instruction expense per county-operated special class elementary teaching unit shall be the "tuition charge per elementary pupil" which the school district pays to the Commonwealth as provided in section 2509.1 of this act multiplied by thirty (30).

For any school district the actual instruction expense per county-operated special class secondary teaching unit shall be the "tuition charge per high school pupil" which the school district pays to the Commonwealth as provided in section 2509.1 of this act multiplied by twenty-two (22).

In the event that a "tuition charge per elementary pupil" or "tuition charge per high school pupil" has not been established the charge fixed by the Superintendent of Public Instruction pursuant to section 2509.1 and paid by the school district shall for the purposes of this clause be the "tuition charge per elementary pupil" or "tuition charge per high school pupil" as the case may be.

Section 6 Section 2502 and subsection (a) of section 2503 of the act amended July 13, 1957 (P. L. 864) are amended to read

Section 2502 Payments on Account of Instruction (a) Every school district [and every vocational school district] shall be paid by the Commonwealth on account of the instruction of pupils an amount to be determined by multiplying the numbers of elementary secondary joint elementary joint secondary [or] area technical school county-operated special class elementary or county-operated special class secondary teaching units each based on the number of [all] district pupils except kindergarten pupils who [are residents of the district and] are in average daily membership in the district's public schools joint elementary schools [or] joint high schools [or] area technical schools or special classes for handicapped children operated by a county board of school directors respectively and in the case of kindergarten pupils based on the number of equivalent full-time kindergarten teachers employed at the rate of one teaching unit per teacher and for the school year 1957-1958 and for each school year thereafter the numbers of elementary or secondary teaching units

[each based on the number of all pupils who are residents of the district and] on account of district pupils who are in average daily membership in the elementary schools or secondary schools of other school districts within the Commonwealth by the district's basic standard reimbursement fraction and [for the school year 1955-1956 by four thousand nine hundred dollars (\$4900)] [for the school year 1956-1957 by five thousand three hundred dollars (\$5300)] for the school year 1957-1958 and for each school year thereafter] by the lesser of actual instruction expense per elementary secondary joint elementary joint secondary area technical school county-operated special class elementary county-operated special class secondary elementary educated in the public schools of other districts within the Commonwealth secondary educated in the public schools of other districts within the Commonwealth teaching unit each as the case may be or for the school year 1958-1959 [five thousand eight hundred dollars (\$5800)] six thousand two hundred dollars (\$6200) [For the school year 1953-1954 and each school year thereafter teaching units shall be based on the number of all pupils except kindergarten pupils who are residents of the school district in average daily membership in the district's public schools and in elementary schools and high schools operated by joint boards of which the district of residence is a member and in area technical schools in which the district of residence participates. In the case of kindergarten pupils teaching units shall be one for each kindergarten teacher employed by the district] or for the school year 1959-1960 and each school year thereafter five thousand eight hundred dollars (\$5800) Provided That for the school year 1957-1958 and for each school year thereafter [additional] teaching units [shall be based on the numbers of all] on account of district pupils except kindergarten who [are residents of the district and] are in average daily membership in the elementary schools of other districts in the Commonwealth or who are in average daily membership in the secondary schools of other districts within the Commonwealth [Further provided That in the case of such pupils teaching units shall be calculated on the basis of thirty-five (35) elementary pupils other than kindergarten pupils and twenty-six (26) secondary pupils per teaching unit respectively In the case of district kindergarten pupils in average daily membership in elementary schools of other districts in the Commonwealth the number of teaching units shall be the number of equivalent full-time kindergarten teachers employed by the district of attendance prorated to the district of residence on the basis of average daily membership.

(b) Notwithstanding the foregoing provisions of this section when because of sparsity of population road or climatic conditions or lack of other available high school facilities the State Council of Education has approved the continued operation of a small high school the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the State Council of Education as being required to provide a satisfactory program in such school provided that the number of teachers employed is not less than the number approved.

(c) For no year shall any school district [or vocational school district] receive less than the minimum subsidy per teaching unit [nor shall any school district of the first class A during the school year 1953-1954 for the school year 1952-1953 or during the school year 1954-1955 for the school year 1953-1954 or during the school year 1955-1956 for the school year 1954-1955 receive less per teaching unit than the amount received by any district of the first class].

Section 2503 Payments on Account of Tuition (a) [Each school district regardless of classification sending pupils to another school district or vocational school district or to a joint school or an area technical school in the establishment and maintenance in which it does not participate approved by the Department of Public Instruction shall be paid by the Commonwealth for school years prior to the school year 1957-1958 but not for the school year 1957-1958 or for school years thereafter on account of tuition an amount to be determined by multiplying the sum of "over-

head cost per pupil" and "instruction cost per] [elementary pupil" or "instruction cost per high school pupil" as the case may be as defined in section two thousand five hundred sixty-one of this act or in the case of district pupils attending a school not located in this Commonwealth on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (i) by the number of district pupils sent to schools of other districts or to joint schools or area technical schools and (ii) by the district's subsidiary account reimbursement fraction and (iii) for tuition up to and including the school year 1948-1949 by seventy-five one-hundredths (.75) and thereafter by eighty-five one-hundredths (.85)] Each school district regardless of classification sending pupils to a school not located within this Commonwealth shall be paid by the Commonwealth for the school year 1957-1958 and for each school year thereafter an amount to be determined by multiplying such reasonable tuition charge per pupil as may be determined by the Superintendent of Public Instruction (i) by the number of district pupils sent to such schools not located in this Commonwealth and (ii) by the district's subsidiary account reimbursement fraction and (iii) by eighty-five one hundredths (.85).

Section 7 Section 2503 of the act is amended by adding after subsection (a) a new subsection to read

Section 2503 Payments on Account of Tuition.

* * *

(B.1) Each school district regardless of classification sending pupils to a laboratory school operated by a State Teachers' College shall be paid by the Commonwealth for the school year 1959-1960 and each school year thereafter an amount to be determined by multiplying the tuition charge per pupil approved by the superintendent of Public Instruction and paid by the school district to the State Teachers' College (i) by the number of district pupils in average daily membership in such laboratory school and (ii) by the district's basic account standard reimbursement fraction.

* * *

Section 8 Section 2510 of the act amended July 13, 1957 (P. L. 864) is amended to read

Section 2510. Payments on Account of Extension Classes and Instruction of Home Bound Children Every school district regardless of classification shall be paid by the Commonwealth [for every school term of the school years prior to the school year 1957-1958 on account of approved extension classes and the instruction of home bound children an amount determined by multiplying the mandated minimum salaries of instructional employees conducting such classes and instructing home bound children by the district's subsidiary account reimbursement fraction and for the school year 1957-1958 and] for each school year [thereafter] on account of approved extension classes except adult extension recreation classes and on account of the approved instruction of home bound children an amount determined by multiplying the mandated minimum salaries of instructional employees certificated for conducting such classes and instructing home bound children by the district's subsidiary account reimbursement fraction.

Section 9. The provisions of this act shall not become effective until the effective date of one of the following taxes (1) increase of the corporate net income tax (2) removal of the manufacturer's exemption to the capital stock tax (3) flat tax paid on the amount of Federal income tax enacted for one year to provide revenue for educational purposes sufficient to meet the additional costs provided for by this act.

In the event this act becomes effective the additional payments to school districts under this act shall be made during the months of October November and December 1960.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House

adopt the report of the Committee of Conference on House Bill No. 1108.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, for the purpose of brevity I want to repeat what I had to say with respect to House Bill 1108 before we went up to caucus.

Since we had our caucus I have not changed my opinion on the situation that is presented before us. Here is a bill in the eleventh hour that we are supposed to vote for with our hands tied with respect to three tax measures. In other words, a bill by which those of us who vote for this are pledging ourselves to vote for one of these three tax measures whether we like them or not.

It seems to me that during the coming Session of the General Assembly and the speech of the Governor, this afternoon, where we expect him to outline a real great program for 1960, that if this bill should fail today, we in the next Session of the General Assembly could address ourselves to the school problem. You would not have to write a new formula, but you could make an appropriation to school districts just the same as you do in House bills for universities or any other institution in Pennsylvania. I grant you it would take 2400 appropriations, but it could be done.

In a few months we will know how much the sales tax and how much the CNI are bringing in, and we would not have to go through this farcical thing that we are being asked to do here today. All of us want to do the right thing by our schools. We have been preaching it and fighting for it all year long. The Senate, in August, said they would not pass the Personal Property Tax, but even so the Governor stuck to it and said it is that or nothing. The Ways and Means Committee did not bring out any other tax measures, and there we are now with a skimpy, measly \$16 million for our schools, and then if we vote for that we are committing ourselves to further hurt business in this state or else put on a graduated income tax. That is my personal feeling about it.

Here is another thing. If this bill should fail now the question then would recur, would we agree to the bill as amended by the Senate, so all would not be lost if this Conference Report fails, as I understand it?

Therefore, I am asking as many on our side as possible to vote no on this bill. We have the next Session coming up; we can address ourselves to the sole problem of schools. I cannot conceive of anything coming up in the 1960 Session except education. We would have plenty of time to do a job and we can provide well for the schools, and, if necessary, enact taxes. But this is only a farcical thing that is put in front of us in the dying minutes of this Session, and I am personally not going to vote for it.

Mr. GAILEY. Mr. Speaker, I think this Conference Committee Report that is before us can best be characterized by a phrase that the Speaker has used here on a good many occasions during this Session, this is a "patch on a patch."

There have not been too many times in this Session when I have found myself in agreement with the gentleman from McKean, the Minority Leader, and certainly I do not agree with all of his reasoning as to why he is not going to vote for this bill. But I feel it incumbent

upon me to explain to the Members of the House why I also am not going to vote for this bill.

There has not been, in my opinion, any need greater in this state than some form of help to our local school districts from the state for the increased costs of public education. It is the most important problem in the state, in my opinion. I think, too, there are not many Members here in the House who would disagree with me when I say that the level of taxation, at the local level, has just about reached its limit. They must turn to the state for help. I say to you, ladies and gentlemen of the House, if we pass this bill now, if we adopt this Conference Committee Report, this will effectively end any hope for increased aid to our public schools in the year 1960.

I think this Conference Committee Report is a hollow mockery of what this Legislature should be doing in the field of public education. I say that it will be seized upon by those whose cry is "lower taxes at any cost"; it will be seized upon by them as the sole answer to our school subsidy problem, and we will have no action in the next Session of the Legislature on this important problem. I say we should put this off. We should consider the program thoroughly, we should enact an adequate program of school subsidies. To vote for this today, in my opinion, will foreclose that in this coming Session.

Mr. TOMPKINS. Mr. Speaker, I want to concur wholeheartedly in what the gentleman from McKean, Mr. Johnson, said about this bill and also to find myself in one of those few, rare occasions when I concur with the gentleman from York, Mr. Gailey.

We are saying to ourselves if we vote for this Conference Report there are only three forms of taxation by which we will bind ourselves to try to solve our educational problem in this Commonwealth. I think that is wrong.

Secondly, the steel strike has now been settled. We are in a position to gather information with the returns that will be coming in the early part of this year, as to just exactly what the revenue picture is going to be and with all the indications of the unprecedented business we are going to have during this year which is going to produce unprecedented taxes for us, why should we sit here and say we are now going to put a noose around our necks for one of three forms of taxes, when we have this prospective picture before us? I cannot understand it from the standpoint of logic, reason, good legislation or anything else. I think this Conference Report should be voted down.

PARLIAMENTARY INQUIRY

Mr. HELM. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HELM. Mr. Speaker, I think this question has been answered at the respective caucuses, but I think it ought to be placed in the record.

If the Conference Committee Report on House Bill 1108 falls, what is the question that recurs?

The SPEAKER. The question would recur, in the opinion of the Chair, on the amendments of the Senate.

Mr. HELM. We would then be voting on concurring in the amendments inserted by the Senate in 1108?

The SPEAKER. That would be the decision of the Chair.

Mr. HELM. I would like to ask further then, suppose in the meantime the Senate has already adopted the report of the Committee of Conference, what then would be the status of House Bill 1108?

The SPEAKER. We would have to resolve the differences between the two Houses. We now have possession of the bill. If we do not act on it, if we do not adopt the report, and the Senate has adopted the report, the bill would fall.

Mr. HELM. The report is currently in the possession of both Houses, however, is it not? I saw a Senate calendar and they have the report of the Committee of Conference printed on their calendar.

The SPEAKER. The original bill is in the possession of the House.

Mr. HELM. I thank you. We will be voting now on House Bill 1108 as we received it from the Senate.

The SPEAKER. That is correct.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—77

| | | | |
|------------|-------------------|--------------------|----------------------|
| Arlene, | Goldstein, M. H., | Maxwell, | Scarcelli, |
| Balthaser, | Hamilton, | Mihm, | Schaaf, |
| Boles, | Holt, | Mills, | Schuster, |
| Bonner, | Irvia, | Munley, | Schwartz, |
| Breth, | Jenkins, | Murphy, A. J., Jr. | Snider, |
| Burns, | Jim, | Murray, J. J., | Stank, |
| Capano, | Kamyk, | Nelson, | Stevens, |
| Cianfrani, | Kornick, | O'Dell, | Stone, |
| Cioffi, | Kovolenko, | O'Donnell, J. A., | Stroup, |
| Clarke, | Lamb, | Perry, H. H., | Trusio, |
| Comer, | Lee, K. B., | Petrosky, | Verona, |
| Davis, | Leonard, | Polaski, | Wargo, |
| Devlin, | Lopresti, | Polen, | Wheeler, |
| Farabaugh, | Luigard, | Prendergast, | Williams, A.D., Jr., |
| Flo, | Lutty, | Reibman, | Williams, E. S., |
| Floyd, | McCann, | Renwick, | Worley, |
| Flynn, | McDonald, | Rovansek, | Yatron, |
| Fox, | McLaughlin, | Rudisill, | Yetter, |
| Gallagher, | Machmer, | Sakulsky, | Andrews, |
| Garlock, | | | Speaker |

NAYS—114

| | | | |
|-------------|-------------------|------------------|------------|
| Agnew, | Gelfand, | McCandless, | Royer, |
| Anderson, | George, | McInroy, | Seltzer, |
| Ashton, | Gibb, | McKeever, | Sherman, |
| Auker, | Goldstein, J. H., | Magee, | Shupnik, |
| Barton, | Goodrich, | Mahan, | Silverman, |
| Bell, | Gramlich, | Markley, | Snare, |
| Boris, | Guthrie, | Meholchick, | Steckel, |
| Bower, | Haudenschild, | Merry, | Stewart, |
| Bowman, | Heffner, | Miller, B. Z., | Stimmel, |
| Branca, | Helm, | Miller, H. G., | Stoner, |
| Brenninger, | Henzel, | Monroe, | Strausser, |
| Brown, | Hocker, | Muldorney, | Sullivan, |
| Crossin, | Holliday, | Mullen, | Taylor, |
| Curwood, | Horst, | Murphy, P. J., | Thompson, |
| Dengler, | Isaacs, | Murray, H. P., | Tompkins, |
| Dennison, | Johnson, A. W., | Musto, | Ujohal, |
| Donahue, | Johnson, R., | Naugle, | Wall, |
| Dougherty, | Jones, F. E., | Needham, | Walsh, |
| Down, | Jones, T. H. W., | O'Donnell, J. P. | Weidner, |
| Edwards, | Kee, | O'Dorisio, | Welsh, |
| Elberg, | Kelser, | Oglivie, | Wescott, |
| Eshback, | Kernaghan, | Parlante, | Whittaker, |
| Eshleman, | Kessler, | Pashley, | Willard, |
| Fetterolf, | Knecht, | Perry, P. E., | Willaredt, |
| Fineman, | Kooker, | Price, | Wilt, |
| Foerster, | Korna, | Pursley, | Wood, |
| Frank, | Lee, A. M., | Rigby, | Wynd, |
| Fulmer, | Light, | Riley, | Zimmerman, |
| Galley, | Lippincott, | | |

NOT VOTING—19

Blair,
Buchanan,
Capitolo,
Cooper,
Donaldson,

Ewing,
Frascella,
Heavy,
Jump,

Kubitsky,
Limper,
McCormack,
Moran,

Murray, P. G.,
O'Neil,
Reidenbach,
Varner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report of the Committee of Conference was not adopted.

BILL ON CONCURRENCE IN SENATE
AMENDMENTS

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1108, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a general standard reimbursement fraction for all purposes where reimbursement fractions are used and revising the basis for reimbursement on account of instruction.

On the question recurring,

Will the House concur in the amendments made by the Senate?

BILL LAID ON TABLE

Mr. McCANN. Mr. Speaker, I move that House Bill No. 1108, Printer's No. 2127 be laid on the table.

On the question,

Will the House agree to the motion?

Mr. A. W. JOHNSON. Mr. Speaker, I am asking the membership on this side to vote against the motion.

I can not see anything wrong in passing 1108 for \$16 million without our hands being tied on the taxes. I think the Governor should sign it. We can be in session, we will know in a few months how much the corporate net income tax is bringnig in, we will know whether the unprecedented Christmas business is going to swell the take from the sales tax, and the Governor knows that this General Assembly will provide the money, if we are to provide it. Therefore I believe as I said before Christmas on this bill, that we can put this on the Governor's desk, he should sign it, and then if later on in 1960 we find out that there is not the money, surely the money will be provided. Therefor I am asking the membership on my side of the House, the Republican side, to resist the motion to lay on the table.

Mr. McCANN. Mr. Speaker, I ask that all the Democrat Members of this House support solidly the motion to lay 1108 on the table.

May I say to you wth emphasis that 1108 with the amendments out of it will be vetoed by the Governor.

Now then, you have failed to provide the revenue. You did not vote for tax measures. You voted against 1108, it is on the record, because you did not vote for the taxes. My motion is now to lay the bill on the table and let it die there for 1959.

The SPEAKER. The Chair would remind the respective floor leaders that under the Rules the motion to lay on the table is not debatable. However, perhaps

that is more honored in the breach than in the observance, particularly when there is no objection.

Mr. TOMPKINS. Mr. Speaker, the door having been opened, I am going to walk in.

I oppose the motion to lay this bill on the table because of the fact number one, that I refuse to be intimidated by any statement made by the Governor with reference to what he intends to do with a bill before it reaches his desk.

Number two, there are certain items in this bill which are very important so far as formulas are concerned. If additional moneys are needed for this bill in the 1960 Session we can provide that, but let us not kill these formulas in this bill. At least that can go through and be approved by the Governor and he will have 30 days in which to do this. If the Governor holds this up for a 30-day period as he has a right to do before he acts on it, this problem may yet be resolved in the manner in which it should be resolved.

I say vote against laying this bill on the table. Let us at least get this thing in some shape where we can do something for education.

Mr. GOODRICH. Mr. Speaker, I ask for a verification of the roll.

Mr. McCANN. Mr. Speaker, the gentleman is asking for a verification of the roll. If they intend to use the remaining time on the verification, I wish to notify the House we will have to drop the bills that members on the other side are wanting to put through. I have no objection. You may proceed.

Mr. GOODRICH. Mr. Speaker, the purpose of the verification is not to consume the time. We tried to keep the roll and could not. We want to be sure it is right.

Mr. McCANN. Mr. Speaker, when we met there was no verification indicated. It was, on our side, a party line vote. I informed the Minority Leader, and we were willing then to accept a fast roll call. Should you care for a verification then the other bills will drop by the wayside. I have no objection. You make the decision now.

Mr. GOODRICH. I think we have time to take care of the other bills. I want the verification.

Mr. McCANN. A verification is asked for, and if the Member wants it then Mr. Price's bill and the other bills will drop by the wayside. You make the decision; you are asking for it.

Mr. GOODRICH. I withdraw the request for a verification of the roll.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. GOODRICH and A. W. JOHNSON and were as follows:

YEAS—98

| | | | |
|------------|---------------|--------------------|------------|
| Anderson, | Galley, | Meholchick, | Riley, |
| Arlene, | Gallagher, | Mihm, | Rovansek, |
| Balthaser, | Garlock, | Mills, | Rudisill, |
| Boles, | Gelfand, | Monroe, | Sakulsky, |
| Bonner, | Hamilton, | Muldowney, | Scarcelli, |
| Branca, | Holt, | Mullen, | SchAAF, |
| Breth, | Irvia, | Munley, | Schuster, |
| Burns, | Jenkins, | Murphy, A. J., Jr. | Schwartz, |
| Capano, | Jim, | Murray, J. J., | Sherman, |
| Cianfrani, | Jones, F. R., | Musto, | Shupnik, |
| Cioffi, | Kamyk, | Needham, | Silverman, |
| Clarke, | Kornick, | Nelson, | Snider, |
| Comer, | Kovolenko, | O'Donnell, J. A., | Stank, |
| Crossin, | Lamb, | O'Donnell, J. P. | Stone, |
| Curwood, | Leonard, | Parlante, | Sullivan, |
| Devlin, | Limper, | Pashley, | Taylor, |

Dougherty,
Eilberg,
Farabaugh,
Filo,
Fineman,
Floyd,
Flynn,
Foerster,
Frank,

Lopresti,
Luigard,
Lutty,
McCann,
McDonald,
McKeever,
McLaughlin,
Machmer,
Maxwell,

Perry, H. H.,
Perry, P. E.,
Petrosky,
Polaski,
Polen,
Prendergast,
Reibman,
Reidenbach,
Renwick,
Speaker

NAYS—93

Agnew,
Ashton,
Auker,
Barton,
Bell,
Boris,
Bower,
Bowman,
Brenninger,
Brown,
Davis,
Dengler,
Dennison,
Donahue,
Down,
Edwards,
Eshback,
Eshleman,
Fetterolf,
Fox,
Fulmer,
George,
Gibb,
Goldstein, J. H.,

Goldstein, M. H.,
Goodrich,
Gramlich,
Guthrie,
Haudenshield,
Heffner,
Helm,
Henzel,
Hocker,
Holliday,
Horst,
Isaacs,
Johnson, A. W.,
Johnson, R.,
Jones, T. H. W.,
Kee,
Kelser,
Kernaghan,
Kessler,
Knecht,
Kooker,
Korns,
Lee, A. M.,
Light,
Lippincott,
McCandless,
McInroy,
Magee,
Mahan,
Markley,
Merry,
Miller, B. Z.,
Miller, H. G.,
Murphy, P. J.,
Murray, H. P.,
Naugle,
O'Dell,
Odorisio,
Oglvie,
Price,
Pursley,
Rigby,
Royer,
Seltzer,
Snare,

Steckel,
Stevens,
Stewart,
Stimmel,
Stoner,
Strausser,
Stroup,
Thompson,
Tompkins,
Ujobal,
Wall,
Weidner,
Wescott,
Whittaker,
Williams, A. D., Jr.,
Williams, E. S.,
Willard,
Willaredt,
Wilt,
Wood,
Worley,
Wynd,
Zimmerman,

NOT VOTING—19

Blair,
Buchanan,
Capitolo,
Cooper,

Donaldson,
Ewing,
Frascella,
Heavey,
Jump,
Kubitsky,
McCormack,
Moran,

Murray, P. G.,
O'Neill,
Varner,

So the question was determined in the affirmative and the motion was agreed to.

Mr. TOMPKINS. Mr. Speaker, let the record show that the death knell for 1108 was pronounced by the motion to lay it upon the table.

RESOLUTION

SINE-DIE ADJOURNMENT

Mr. McCANN offered the following resolution which was read, considered and adopted as follows:

In the House of Representatives, January 5, 1960.

Resolved (if the Senate concur), that this 1959 Regular Session of the General Assembly adjourn Sine-Die on the 5th day of January, 1960, at 12 o'clock noon, E.S.T.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

COMMITTEE TO WAIT UPON GOVERNOR

Mr. McCANN offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, January 5, 1960.

Resolved, That a committee of three Members of the House be appointed by the Speaker to wait upon His Excellency, the Governor of the Commonwealth and inform him that the House of Representatives has completed the business of the 1959 Regular Session and is ready to adjourn sine-di at 12:00 o'clock noon, and inquire whether there are any further communications he may wish to make to the House of Representatives.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Governor Messrs. McCANN, A. W. JOHNSON and LOPRESTI.

BILL ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2423, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey at public sale one hundred sixteen acres more or less of land situate in Potter Township Centre County to the Juniata Valley Council of the Boy Scouts of America.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

| | | | |
|-------------|-------------------|---------------------|-----------------------|
| Agnew, | Gelfand, | McDonald, | Rudisill, |
| Anderson, | George, | McInroy, | Sakulsky, |
| Arlene, | Gibb, | McKeever, | Scarcelli, |
| Ashton, | Goldstein, J. H., | McLaughlin, | Schaaf, |
| Auker, | Goldstein, M. H., | Machmer, | Schuster, |
| Balthaser, | Goodrich, | Magee, | Schwartz, |
| Barton, | Gramlich, | Mahan, | Seltzer, |
| Bell, | Guthrie, | Markley, | Sherman, |
| Boies, | Hamilton, | Maxwell, | Shupnik, |
| Bonner, | Haudenschild, | Meholchick, | Silverman, |
| Boris, | Heffner, | Merry, | Snare, |
| Bower, | Helm, | Mihm, | Snider, |
| Bowman, | Henzel, | Miller, B. Z., | Stank, |
| Branca, | Hocker, | Miller, H. G., | Steckel, |
| Brenninger, | Holliday, | Mills, | Stevens, |
| Breth, | Holt, | Monroe, | Stewart, |
| Brown, | Horst, | Muldowney, | Stimmel, |
| Burns, | Irviss, | Mullen, | Stone, |
| Capano, | Isaacs, | Munley, | Stoner, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr., | Strausser, |
| Cloff, | Jim, | Murphy, P. J., | Stroup, |
| Clarke, | Johnson, A. W., | Murray, H. P., | Sullivan, |
| Comer, | Johnson, R., | Murray, J. J., | Taylor, |
| Crossin, | Jones, F. R., | Musto, | Thompson, |
| Curwood, | Jones, T. H. W., | Naugle, | Tompkins, |
| Davis, | Kamyk, | Needham, | Trusto, |
| Dengler, | Kee, | Nelson, | Ujohal, |
| Dennison, | Keiser, | O'Dell, | Verona, |
| Devlin, | Kernaghan, | O'Donnell, J. A., | Wall, |
| Donahue, | Kessler, | O'Donnell, J. P., | Walsh, |
| Dougherty, | Knecht, | Odoriso, | Wargo, |
| Down, | Kooker, | Ogilvie, | Weldner, |
| Edwards, | Kornick, | Parlante, | Welsh, |
| Elberg, | Korns, | Pashley, | Wescott, |
| Eshback, | Kovolenko, | Perry, H. H., | Wheeler, |
| Eshleman, | Lamb, | Perry, P. E., | Whittaker, |
| Farabaugh, | Lee, A. M., | Petrosky, | Williams, A. D., Jr., |
| Fetterolf, | Lee, K. B., | Poiaski, | Williams, E. S., |
| Filo, | Leonard, | Polen, | Willard, |
| Fineman, | Light, | Prendergast, | Willaredt, |
| Floyd, | Limper, | Price, | Wilt, |
| Flynn, | Lippincott, | Pursley, | Wood, |
| Foerster, | Lopresti, | Reibman, | Worley, |
| Fox, | Lugard, | Renwick, | Wynd, |
| Frank, | Lutty, | Rigby, | Yatron, |
| Fulmer, | McCandless, | Riley, | Yetter, |
| Galley, | McCann, | Rovansek, | Zimmerman, |
| Gallagher, | McCormack, | Royer, | Andrews, |
| Garlock, | | | Speaker |

NAYS—0

NOT VOTING—17

| | | | |
|-----------|------------|----------------|-------------|
| Blair, | Donaldson, | Jump, | O'Neill, |
| Buchanan, | Ewing, | Kubitsky, | Reldenbach, |
| Capitolo, | Frascella, | Moran, | Varner, |
| Cooper, | Heavy, | Murray, P. G., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL No. 1616

Mr. McCANN. Mr. Speaker, I call up the report of the Committee of Conference on House Bill No. 1616.

The report of the Committee of Conference was read as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1616, entitled: "An act providing for the Joint State Government Commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith, the appointment of an advisory committee in connection therewith and making an appropriation."

Respectfully submit the following bill as our report:

STEPHEN McCANN,
J. DEAN POLEN,
NORMAN WOOD,
(Committee on the part of the House.)

JOHN T. VAN SANT,
THOMAS E. EHRGOOD,
WILLIAM J. LANE,
(Committee on the part of the Senate.)

An Act providing for the creation of a commission to formulate a plan with respect to state and local administration of public welfare services and to prepare appropriate legislation in connection therewith and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The state and local welfare commission shall consist of the State Board of Public Welfare four members of each House of the General Assembly who shall be appointed respectively by the president pro tempore of the Senate and by the speaker of the House provided that the two major political parties shall be equally represented by the persons so selected from each house five local public welfare officials appointed by the Governor provided that not all of them shall be members of the same political party the chairman of the state board of public welfare shall be chairman of the state and local welfare commission.

The Commission shall formulate a plan for the proper division of public welfare responsibilities and functions between the State and the counties and the proper organization of public welfare services in the counties hold public hearings thereon throughout the Commonwealth in order that the views of those presently responsible for rendering these services both public and private may be fully considered and prepare appropriate legislation for submission to the General Assembly.

Section 2 The commission is empowered to employ such additional professional technical and clerical staff as may be necessary for the purposes of this act The Department of Public Welfare shall assign professional staff of the department to the commission at its request.

Section 3 The members of the Commission shall serve without compensation other than reimbursement of travel and other actual expenses incurred in the performance of their duties

Section 4 Solely for the purposes of this act the sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Welfare.

Section 5 This commission shall report to the Governor and the General Assembly prior to March 1, 1961.

Section 6 This act shall take effect immediately.

On the question,

Will the House adopt the report of the Committee of Conference?

Mr. McCANN. Mr. Speaker, I request that the House adopt the report of the Committee of Conference on House Bill No. 1616.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

| | | | |
|-------------|-------------------|--------------------|-----------------------|
| Arnew, | Gelfand, | McDonald, | Rudisill, |
| Anderson, | George, | McInroy, | Sakulsky, |
| Arlene, | Gibb, | McKeever, | Scarcell, |
| Ashton, | Goldstein, M. H., | McLaughlin, | Schaaf, |
| Auker, | Goldstein, J. H., | Machmer, | Schuster, |
| Balthaser, | Goodrich, | Magee, | Schwartz, |
| Barton, | Gramlich, | Mahan, | Seltzer, |
| Bell, | Guthrie, | Markley, | Sherman, |
| Boles, | Hamilton, | Maxwell, | Shupnik, |
| Bonner, | Haudenschild, | Meholchick, | Silverman, |
| Boris, | Heffner, | Merry, | Snare, |
| Bower, | Helm, | Mihm, | Snider, |
| Bowman, | Henzel, | Miller, B. Z., | Stank, |
| Branca, | Hocker, | Miller, H. G., | Steckel, |
| Brenninger, | Holliday, | Mills, | Stevens, |
| Breth, | Holt, | Monroe, | Stewart, |
| Brown, | Horst, | Muldowney, | Stimmel, |
| Burns, | Irviss, | Mullen, | Stone, |
| Capano, | Isaacs, | Munley, | Stoner, |
| Cianfrani, | Jenkins, | Murphy, A. J., Jr. | Strausser, |
| Cloffi, | Jim, | Murphy, P. J., | Stroup, |
| Clarke, | Johnson, A. W., | Murray, H. P., | Sullivan, |
| Comer, | Johnson, R., | Murray, J. J., | Taylor, |
| Crossin, | Jones, F. E., | Musto, | Thompson, |
| Curwood, | Jones, T. H. W., | Naugle, | Tompkins, |
| Davis, | Kamyk, | Needham, | Truslo, |
| Dengler, | Kee, | Nelson, | Ujobal, |
| Dennison, | Kelser, | O'Dell, | Verona, |
| Devlin, | Kernaghan, | O'Donnell, J. A., | Wall, |
| Donahue, | Kessler, | O'Donnell, J. P. | Walsh, |
| Dougherty, | Knecht, | O'Dorisio, | Wargo, |
| Down, | Kooker, | Ogilvie, | Weidner, |
| Edwards, | Kornick, | Parlante, | Welsh, |
| Ellberg, | Korns, | Pashley, | Wescott, |
| Eshback, | Kovolenko, | Perry, H. H., | Wheeler, |
| Eshleman, | Lamb, | Perry, P. E., | Whittaker, |
| Farabaugh, | Lee, A. M., | Petrosky, | Williams, A. D., Jr., |
| Fetterolf, | Lee, K. B., | Polaski, | Williams, E. S., |
| Filo, | Leonard, | Polen, | Willard, |
| Fineman, | Light, | Prendergast, | Willaredt, |
| Floyd, | Limper, | Price, | Wilt, |
| Flynn, | Lippincott, | Pursley, | Wood, |
| Foerster, | Lopresti, | Reibman, | Worley, |
| Fox, | Luigard, | Renwick, | Wynd, |
| Frank, | Lutty, | Rigby, | Yatron, |
| Fulmer, | McCandless, | Riley, | Yetter, |
| Galley, | McCann, | Rovanssek, | Zimmerman, |
| Gallagher, | McCormack, | Royer, | Andrews, |
| Garlock, | | | Speaker |

NAYS—0

NOT VOTING—17

| | | | |
|-----------|------------|----------------|-------------|
| Blair, | Donaldson, | Jump, | O'Neil, |
| Buchanan, | Ewing, | Kubitsky, | Reidenbach, |
| Capitolo, | Frascella, | Moran, | Varnier, |
| Cooper, | Heavey, | Murray, P. G., | |

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned

bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2286.

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 2286.

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) omitting the requirement that the written approval of the Department of Public Instruction be given to specific contracts and leases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

MOTION TO DISCHARGE CONFERENCE COMMITTEE

Mr. McCANN. Mr. Speaker, I move that the Conference Committee on House Bill No. 2459 be discharged from further consideration of the bill, that we recede from the Senate amendments non-concurred in.

On the question,

Will the House agree to the motion?

Mr. TOMPKINS. Mr. Speaker, that was quite a fast play. I want to know what is going on.

Mr. McCANN. You listen carefully and you will know. That was the highway bill on which the conferees from the Senate would not meet, Mr. Wade and Mr. Kessler. I am moving to discharge the Committee of Conference, concur in the Senate amendments and send the bill to the Governor. It is Printer's No. 2128.

Mr. HELM. Mr. Speaker, I would like to inquire as to the status of the bill at the present time. Who is in possession of the bill?

The SPEAKER. Unfortunately the Chair is not officially informed as to the status or the location of the bill.

Mr. McCANN. Mr. Speaker, the bill is in a committee of conference appointed by the House and the Senate. It is a House bill which was sent to the Senate, and there amended. The House did not concur in the amendments. The Senate insisted upon its amendments. It is in a conference committee. We are now receding from the position of nonconcurrence.

The SPEAKER. The official bill, the Chair is now informed, is in the keeping of the Chief Clerk who has sent for the bill.

Mr. HELM. Is the original bill in the possession of the House of Representatives?

Mr. McCANN. That is correct.

MOTION TO LAY ON TABLE

Mr. HELM. Mr. Speaker, I move that House Bill 2459, together with the amendments, be laid upon the table. I ask for a roll call on the motion.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, we are satisfied with the motion. If they are going to kill the highway bill we will go for the party line vote.

Mr. McCANN. As discussed with the Speaker I am asking all the Members on this side to support my motion. The vote will be 98 to 93. The bill still will not pass.

Mr. M. H. GOLDSTEIN. I rise to cast my own vote. Is this the omnibus bill?

Mr. McCANN. Mr. Speaker, so that this is clear, this is the highway bill as it came from the Senate; with all the amendments that Mr. Comer put in it in the House, plus what the Senate put in in the Senate. I assumed that Allegheny County would be voting with me, both sides; Luzerne, both sides; Bedford, both sides and some other counties that are in there. I do not know whether I am right or not.

Mr. M. H. GOLDSTEIN. I am voting aye.

Mr. McCANN. The motion made by the gentleman from Armstrong, Mr. Helm, was to lay the bill on the table. I oppose this motion, and all of the party votes on our side will vote not to put it on the table. I assume some Republican votes are also against putting it on the table. Then I am going to make a motion to concur, and send it to the Governor.

Mr. HELM. Mr. Speaker, I request a slow roll call.

Mr. AUKER. Mr. Speaker, I insist upon a slow roll call. We will kill the bill, yes.

The SPEAKER. Upon the direction of the House the time will be extended until we can pass upon these matters. We do not have time to complete the roll call.

PARLIAMENTARY INQUIRY

Mr. AUKER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUKER. Mr. Speaker, can you move the clock back to start a regular annual Session provided by the Constitution?

The SPEAKER. Upon the direction of the House the Chair will so do.

Mr. AUKER. The Chair does not have a direction from the House.

The SPEAKER. The Chair is going to ask for the direction of the House. The Chair is not going to decide that matter.

Is the House in favor of prolonging the Session by moving the clock back?

The House gave its consent.

PARLIAMENTARY INQUIRY

Mr. FULMER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FULMER. Will the Chair advise the House as to the position of the Constitutional amendment which was passed by the voters of the Commonwealth in the last General Election. Were we directed to convene the 1960 Session at 12:00 o'clock noon?

The SPEAKER. The Chair will answer the gentleman.

We were to convene at 12:00 o'clock noon, and 12:00 o'clock noon is whenever this House says it is.

Mr. FULMER. As a point of further parliamentary inquiry, does the Constitutional amendment as passed by the voters of Pennsylvania give the authority to the 1959 Session to decide the time of beginning the 1960 Session?

The SPEAKER. The courts have decided that in matters of record the courts do not go behind the record. If the House says it adjourned at 12:00 o'clock noon on this day, that, as far as the record is concerned, is when this House adjourned.

Mr. FULMER. Mr. Speaker, perhaps my question is not clear.

I am not raising the question as to when we adjourn this Session, I am raising the question as to when we convene the 1960 Session. I wish the Chair would advise me how this body, which has not yet convened in 1960, can turn the clock back in the 1959 Session?

The SPEAKER. When the House convenes, the Chair will say. "The hour of 12:00 having arrived, the House will be in order."

Mr. FULMER. I thank the Speaker.

Mr. BELL. Mr. Speaker, was the context of your ruling, which was just on the floor for a vote, that this House has the power to override the Constitution of Pennsylvania?

The SPEAKER. No, it does not have the power to override the Constitution, but the House has the power to make the record upon which its judgments would be based if it were contested in the courts. The tradition in this House has been for very many years that the hour of the day is what the House decides it is. When the matter was put to the membership of the House as to whether we would proceed on the tick of the clock to organize the House, the vote on the floor of the House was overwhelming.

Mr. BELL. Mr. Speaker, is it not correct parliamentary procedure to appeal to the House from the ruling of the Speaker?

The SPEAKER. The Chair did appeal to the House as to whether we should proceed in accordance with the standard schedule, and the House by an overwhelming vote said yes.

MOTION TO ADJOURN

Mr. BELL. Mr. Speaker, I set my watch by the House clock before it was set back, and I at this time move that we adjourn forthwith.

Mr. AUKER. I second the motion, Mr. Speaker.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. SHERMAN. I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERMAN. Mr. Speaker, I understand there was a motion by the Majority Leader made prior to any motion on the other side. Following that there was a motion made by either the Minority Leader or someone else on the other side. I think the motion made by the Majority Leader should have preference. His came first. I move the previous question based on a motion made by our Majority Leader.

The SPEAKER. There is pending a motion to adjourn which takes precedence. The Chair will put the motion to adjourn as soon as he has signed the bills that must be signed. Then we will take a roll call on the motion to adjourn. If the Chair does not sign these bills before this Session adjourns, the bills fall.

On the question recurring,

Will the House agree to the motion to adjourn?

(During the calling of the roll, the following Senate message was received).

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 5, 1960.

Resolved, (if the Senate concur), that this 1959 Regular

Session of the General Assembly adjourn Sine-Die on the 5th day of January, 1960, at 12 o'clock noon, E.S.T.

Ordered, That the Clerk inform the House of Representatives accordingly.

The SPEAKER. The Chair desires, for the benefit of the Members, to state our present parliamentary position. This morning we adopted a resolution to adjourn sine die at 12:00 o'clock. That did not become effective until the Senate concurred. The Senate has now concurred.

ADJOURNMENT SINE DIE

The SPEAKER. This being the day and the hour fixed by Concurrent Resolution, adopted by the Senate and the House of Representatives as the time when this General Assembly shall adjourn sine die, I now declare this 1959 Regular Session of the House of Representatives adjourned without day.

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